

ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1946

TOGETHER WITH

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

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1946

ACTS AND RESOLVES

OF

MASSACHUSETTS

1946

 The General Court, which was chosen November 7, 1944, assembled on Wednesday, the second day of January, 1946, for its second annual session.

His Excellency MAURICE J. TOBIN and His Honor ROBERT F. BRADFORD continued to serve as Governor and Lieutenant Governor, respectively, for the political year of 1946.

ACTS.

AN ACT TO AUTHORIZE CITIES AND TOWNS TO PROPERLY
CELEBRATE THE RETURN OF THE MEN AND WOMEN WHO
SERVED IN OR WERE AFFILIATED OR ASSOCIATED WITH
THE ARMED FORCES OF THE UNITED STATES IN WORLD
WAR II. Chap. 1

Whereas, The deferred operation of this act would deprive cities and towns from adequately and promptly expressing appreciation of the services of those who served in World War II, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Cities and towns may appropriate money to celebrate in such manner as they deem advisable the return of men and women who served in or were affiliated or associated with any branch of the armed forces of the United States in World War II.
Approved January 8, 1946.

AN ACT PERMITTING THE LATE FILING OF CERTIFICATES OF
NOMINATION AND NOMINATION PAPERS FOR THE ANNUAL
TOWN ELECTION OF THE TOWN OF MIDDLEBOROUGH IN
THE CURRENT YEAR. Chap. 2

Be it enacted, etc., as follows:

SECTION 1. Certificates of nomination and nomination papers of candidates for town offices in the town of Middleborough to be elected at the annual town election of said town in the current year may be filed with the town clerk during the periods prescribed by section ten of chapter fifty-three of the General Laws for the filing of such certificates and nomination papers, respectively, in any town which has not accepted section one hundred and three A of chapter fifty-four of the General Laws, notwithstanding the fact that the town of Middleborough has accepted said section one hundred and three A.

SECTION 2. This act shall take effect upon its passage.
Approved January 10, 1946.

AN ACT ENABLING THE TOWN OF MILTON TO SELL AND CONVEY A PORTION OF CERTAIN LAND IN EAST MILTON ACQUIRED BY IT IN PART FOR PLAYGROUND PURPOSES AND IN PART FOR SCHOOL OR OTHER PURPOSES. Chap. 3

Be it enacted, etc., as follows:

SECTION 1. The town of Milton may sell at public auction or private sale, and convey, the whole or any part of a

certain parcel of real estate situated in that town which was acquired in part for playground purposes and in part for school or other purposes and is no longer needed for public use, and shall use the proceeds of such sale for the purposes stated in section sixty-three of chapter forty-four of the General Laws. Said parcel is shown on a plan entitled "Milton Park Department, Plan Showing a Part of the East Milton Playground Proposed to Be Transferred to Private Ownership, dated January ninth, nineteen hundred and forty-six, by Forrest J. Maynard, Town Engineer." Said parcel of land is bounded and described as follows:— Beginning at a point in the southeasterly line of the old "East Milton School House Lot", two hundred and fifty feet from the northeasterly side line of Adams street, thence running southeasterly by land of the Roman Catholic Archbishop of Boston one hundred and eighty-one and thirty-one-hundredths feet to land formerly of Samuel Babcock; thence running northeasterly by said Babcock land one hundred and sixty-five feet; thence running northwesterly by other land of said town of Milton three hundred six and sixty-three one-hundredths feet to the easterly side line of a proposed street on land of said town, as shown on said plan; thence running southeasterly by said easterly side line of said proposed street eighty-nine and forty-nine one-hundredths feet; thence running southeasterly and southwesterly by a curved portion of said easterly side line of said proposed street one hundred twenty-eight and twenty-one one-hundredths feet to the point of beginning. Said sale and conveyance shall be subject to an easement of the town of Milton for sewer and drain purposes over a strip of land ten feet wide shown on said plan.

SECTION 2. Action hereunder may be taken by the town at the annual meeting to be held in nineteen hundred and forty-six, but not thereafter, except so far as is necessary to carry out the provisions of any vote passed at said meeting or to use as aforesaid the proceeds of said sale.

SECTION 3. This act shall take effect upon its passage.

Approved January 16, 1946.

Chap. 4 AN ACT AUTHORIZING NORFOLK COUNTY TO EXPEND A CERTAIN SUM OF MONEY FOR THE PURPOSE OF PAYING THE COMPENSATION OF A JUVENILE PROBATION OFFICER IN THE NORTHERN, WESTERN AND SOUTHERN JUDICIAL DISTRICTS OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county of Norfolk may expend twenty-eight hundred dollars for the purpose of paying the compensation of a juvenile probation officer to serve in the northern, western and southern judicial districts of said county, said sum to be included in the appropriations for the current year for said county. Said compensation, when approved by the county commissioners, may be paid by the

treasurer from any available sums or from the proceeds of loans made in anticipation of taxes of the year nineteen hundred and forty-six.

SECTION 2. This act shall take effect upon its passage.

Approved January 22, 1946.

AN ACT AUTHORIZING THE TOWN OF CANTON TO BORROW
MONEY FOR THE PURPOSE OF CONSTRUCTING, EQUIPPING
AND FURNISHING A SCHOOL BUILDING. Chap. 5

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and originally equipping and furnishing a school building, the town of Canton may borrow from time to time within a period of three years from the passage of this act such sums as may be necessary, not exceeding, in the aggregate, one hundred and seventy thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Canton School Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit and shall, except as provided herein, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved January 22, 1946.

AN ACT AUTHORIZING THE TOWN OF NAHANT TO BORROW
MONEY FOR THE PURPOSE OF RECONSTRUCTING TUDOR
WHARF. Chap. 6

Be it enacted, etc., as follows:

SECTION 1. For the purpose of reconstructing Tudor wharf, the town of Nahant may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, fifteen thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Nahant Wharf Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be inside the statutory limit, and shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The selectmen of said town shall have power to make rules and regulations governing the use of the said

wharf, and shall have authority to appoint a wharfinger of the wharf who shall have power to enforce the aforesaid rules and regulations.

SECTION 3. This act shall be submitted to the voters of the town of Nahant, at any time within three years after its passage, at an annual or special town meeting called for the purpose, and shall take full effect upon its acceptance by a majority of the voters present and voting thereon; provided, that not more than one such special meeting shall be called in any calendar year. *Approved January 22, 1946.*

Chap. 7 AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF SUPERINTENDENT OF STREETS OF THE TOWN OF LEE UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of superintendent of streets of the town of Lee shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations made thereunder. The tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws, but the person holding said office on said effective date shall continue to serve therein only until the expiration of his term of office unless prior thereto he passes a qualifying examination to which he shall be subjected by the division of civil service.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and forty-six, entitled 'An Act authorizing the Placing of the Office of Superintendent of Streets of the Town of Lee under the Civil Service Laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved January 22, 1946.

Chap. 8 AN ACT FURTHER INCREASING THE AUTHORITY OF THE TRUSTEES OF DUMMER ACADEMY TO BORROW MONEY.

Be it enacted, etc., as follows:

Chapter four hundred of the acts of nineteen hundred and eight is hereby amended by striking out section one, as most recently amended by chapter one hundred and nineteen of the acts of nineteen hundred and thirty-nine, and inserting in place thereof the following section:—*Section 1.* The Trustees of Dummer Academy, a corporation incorporated by an act of the general court passed on the third day of October, seventeen hundred and eighty-two, (said institution being commonly called Governor Dummer Academy), is hereby authorized and empowered, for the purposes set

forth in said act, to borrow money to the amount of three hundred thousand dollars, and to mortgage its real estate situated in the town of Newbury as security for such loan.

Approved January 22, 1946.

AN ACT AUTHORIZING THE TOWN OF LEE TO PURCHASE THE PROPERTY AND RIGHTS OF THE BERKSHIRE WATER COMPANY AND TO ESTABLISH RULES AND REGULATIONS FOR FINANCING AND MANAGEMENT OF THE WATER WORKS. Chap. 9

Be it enacted, etc., as follows:

SECTION 1. Upon the acceptance of this act the town of Lee is hereby authorized, acting by and through its board of water commissioners hereinafter provided for, to purchase from the Berkshire Water Company its corporate property, and its whole water rights, estates, franchises and privileges as set forth in the charter of said company and amendments thereto, and thereby become entitled to all its rights and privileges and subject to all its duties and liabilities.

SECTION 2. Said town, for the purposes of paying necessary expenses and liabilities incurred or to be incurred under the provisions of this act, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, one hundred and sixty-five thousand dollars, which shall bear on the face the words, Town of Lee Water Loan, Act of 1946. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than thirty years from their dates. Indebtedness incurred under the provisions of this act shall be inside the debt limit as fixed for water supply loans under chapter forty-four of the General Laws, and loans issued hereunder shall be subject to said chapter forty-four.

SECTION 3. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section two; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates and other sources, will be sufficient to pay the annual expenses of operating the water works and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall without further vote be assessed by the assessors of the town annually thereafter in the same manner as other taxes, until the debt incurred by said loan or loans is extinguished.

SECTION 4. The land, water rights and other property taken or acquired under this act, and all works, aqueducts, pipe lines, buildings and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the town. The town may furnish and sell water to other municipalities, which are hereby authorized to purchase water so sold.

SECTION 5. Said town shall, after the acceptance of this act, at the same meeting at which this act is accepted or at a meeting called for the purpose, establish a board of three water commissioners. Such commissioners shall, in the first instance, be elected by ballot, other than the official ballot, to hold office, one until the expiration of one year, one until the expiration of two years, one until the expiration of three years, from the next succeeding annual town meeting; and at the annual town meeting held on the day on which the shortest of such terms expires, and at each annual town meeting thereafter, one such commissioner shall be elected by official ballot for the term of three years. A majority of said commissioners shall constitute a quorum for the transaction of business. After the election of a board of water commissioners under authority of this act, any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting called for the purpose. Any such vacancy may be filled temporarily by a majority vote of the selectmen and the remaining members of the water commission and the person appointed shall hold office until the town fills the vacancy in the manner specified herein or until the expiration of the remainder of such unexpired term, whichever event first occurs. The said board of water commissioners shall serve without compensation except for expenses incurred in connection with their official duties.

SECTION 6. The water commissioners shall have exclusive charge and control of the water department and water system, subject to all lawful by-laws and to such instructions, rules and regulations as the town may from time to time impose by its vote, except as hereinafter provided. They may establish fountains and hydrants, may relocate or discontinue the same, may regulate the use of water and shall annually estimate just and equitable prices and rates for the use thereof which shall be sufficient to defray all operating expenses, interest charges, and payments on the principal as they accrue on any bonds or notes issued for the purposes of this act. They shall prescribe the time and manner of payment of such prices and rates including discounts for the prompt payment of the same. The income from the water works shall be appropriated to pay all operating expenses, interest charges and payments on the principal as they accrue on any bonds or notes issued under this act. If in any year there should be a net surplus remaining after providing for the aforesaid charges for that year, such surplus may be appropriated for such new construction as the water commissioners, with the approval of the town, may determine upon; and in case a net surplus should remain after payment for such new construction the water rates shall be reduced proportionately. If in any year there should be a deficit of revenue, said commissioners shall in the following year fix the rate so as to meet such deficit together with the estimated operating costs including interest and debt. Said

commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

SECTION 7. Said water commissioners shall appoint a superintendent of water works, who shall be subject to chapter thirty-one of the General Laws, and whose duties shall be, under the general direction of the water commissioners, to maintain and repair all pipes, aqueducts, dams and other structures and to do all things necessary for the proper operation of the water works, including the employment of labor, and to do such other things as the water commissioners may direct.

SECTION 8. Said water commissioners shall appoint a registrar, who shall be subject to said chapter thirty-one of the General Laws and who shall give bond to the town in such amount and with such surety or sureties as may be approved by said commissioners. It shall be the duty of said registrar to keep record of all incomes and expenditures, to collect water rates and charges, to keep records of the meetings and official acts of the board of water commissioners and to do such other things as said commissioners may direct.

SECTION 9. Said water commissioners shall fix the salary or compensation of all officers or employees appointed or employed by them, subject to the provisions of section thirty-one of chapter forty-four of the General Laws.

SECTION 10. If, for any reason, the board of water commissioners should refuse to extend water mains or pipes into sections of the town not previously supplied with water from the town water works, a two-thirds vote of an annual town meeting shall be necessary to annul such refusal.

SECTION 11. With the acceptance of this act the town of Lee also accepts sections forty-two A to forty-two F, inclusive, of chapter forty of the General Laws for the collection of water rates.

SECTION 12. The prices and rates for the use of water in that part of the town of Lenox in which the town of Lee is authorized to supply water shall be the same as those charged for similar service supplied by the Lenox Water Company in the town of Lenox. In case the town of Lee and the town of Lenox should fail to agree upon said rates, then the rates shall be established by the state department of public utilities.

SECTION 13. Nothing in this act shall change, modify or limit any rights or privileges granted to the Berkshire Water Company by its charter when said charter rights and privileges of said company are acquired by the town of Lee.

SECTION 14. Any provision of section eight of chapter one hundred and twenty-seven of the acts of eighteen hundred and eighty to the contrary notwithstanding, this act shall take full effect upon its acceptance by a majority of the voters of the town of Lee present and voting thereon at

a town meeting called for the purpose within three years after its passage, but not otherwise.

Approved January 22, 1946.

Chap. 10 AN ACT PROVIDING FOR THE PROMPT USE OF POST-WAR REHABILITATION FUNDS ACCUMULATED BY CITIES, TOWNS AND DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to enable towns to take prompt action in using their post-war rehabilitation funds, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provision of section one of chapter four of the acts of nineteen hundred and forty-two or section one of chapter five of the acts of nineteen hundred and forty-three forbidding the sale of bonds purchased thereunder by cities, towns and districts, prior to the termination of the existing state of war, such bonds may at any time after the effective date of this act be sold to provide funds to meet appropriations made as authorized under section one of said chapter five. *Approved January 24, 1946.*

Chap. 11 AN ACT TO AUTHORIZE THE TOWN OF ROWLEY TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER.

Be it enacted, etc., as follows:

SECTION 1. The town of Rowley may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; and may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

SECTION 2. For the purposes aforesaid, said town, acting by its board of water commissioners hereinafter provided for, may contract with any other municipality, acting by its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may lease, or take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring or stream or of any ground water sources, by means of driven, artesian or other wells or filter galleries, within the limits of said town, not already appropriated for purposes of public water supply, and the water rights connected with any such water sources; and also for said purposes may take by eminent domain under said chapter seventy-nine or said chapter eighty A, or

acquire by lease, purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof and for conveying the same to any part of said town; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, wells or filter galleries, filtration and pumping plants or other works necessary in carrying out the provisions of this act shall be subject to the approval of said department; and said town may acquire by lease, purchase or otherwise any appliances, works, tools, machinery and other equipment that may be necessary or expedient in carrying out the provisions of this act. Said town may construct and maintain on the lands acquired and held under this act proper dams, wells, reservoirs, pumping and filtration plants, buildings, standpipes, tanks, fixtures and other structures, including also purification and treatment works, the construction and maintenance of which shall be subject to the approval of said department of public health, and may make excavations, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct, lay and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways, and along any such way, in said town in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said town may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon; provided, that all things done upon any such way shall be subject to the direction of the selectmen of said town. Said town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. Said town may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any works or for any other purpose authorized by this act.

SECTION 3. The land, water rights and other property taken or acquired under this act, and all works, buildings and other structures erected or constructed thereunder, shall be managed, leased, improved and controlled by the board

of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the town. The board of water commissioners may establish rules and regulations for the management of its water works, not inconsistent with this act or with any other provisions of law.

SECTION 4. Any person or corporation injured in his or its property by any action of said town or board under this act may recover damages from said town under said chapter seventy-nine or said chapter eighty A; provided, that the right to damages for the taking of any water, water source or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said town under authority of this act.

SECTION 5. Said town, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under this act, other than expenses of maintenance and operation, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, one hundred thousand dollars, which shall bear on their face the words, Town of Rowley Water Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit and shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 6. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section five; and, when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating its water works, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall without further vote be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

SECTION 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for any of the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any one of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both.

SECTION 8. The selectmen of said town shall serve as water commissioners until the election and qualification of water commissioners. Whenever the phrase "board of water commissioners" or "board" or "commissioners" occurs in this act it shall mean and include the board of water com-

missioners or the selectmen acting as such, as the case may be. Said town may, at an annual town meeting or at any special meeting held not less than thirty days prior to an annual town meeting, vote to elect at the next annual town meeting a board of three water commissioners; and if the town so votes it shall at such next annual town meeting elect by ballot three persons to hold office as members of said board for one, two and three years, respectively, from such meeting, and until their successors are qualified; and thereafter at each annual town meeting the town shall elect one such member to hold office for three years and until his successor is qualified. All the authority granted to the town by this act, except sections five and six, and not otherwise specially provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as said town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. After the election of a board of water commissioners under authority of this section, any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting called for the purpose. Any such vacancy may be filled temporarily in the manner provided by section eleven of chapter forty-one of the General Laws, and the person so appointed shall perform the duties of the office until the next annual meeting of said town or until another person is qualified.

SECTION 9. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as the water commissioners, with the approval of the town, may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of the receipts and expenditures.

SECTION 10. This act shall take full effect upon its acceptance by a majority of the voters of the town of Rowley present and voting thereon at a town meeting called for the purpose within four years after its passage, but not otherwise; but the number of meetings so called in any year shall not exceed three.

Approved January 28, 1946.

Chap. 12 AN ACT REPEALING CERTAIN LAWS RELATIVE TO THE BOARD OF HEALTH IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and sixty-nine of the acts of nineteen hundred and forty-one is hereby repealed.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1946.

Chap. 13 AN ACT TO PROVIDE HOUSING FOR VETERANS OF WORLD WAR II.

Whereas, An acute shortage of housing exists in many of the cities and towns of the commonwealth and on account of such shortage many veterans of World War II are unable to obtain shelter for themselves and their families, and this shortage is likely to continue for a substantial period of time, and inability to obtain adequate shelter will cause suffering and disease among such veterans and their families unless such shortage is relieved, therefore this act is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that an acute shortage of housing exists in many of the cities and towns of the commonwealth; that on account of such shortage many veterans of World War II are unable to obtain shelter for themselves and their families regardless of their ability to pay for such shelter; that on account of the extent of the deficiency in housing and the difficulty in obtaining building materials it is likely that this shortage will continue for a substantial period; that on this account a time of public exigency, emergency and distress now exists so that the providing of shelter is a public function; and each city or town in which such shortage exists is hereby authorized to provide shelter for such of its inhabitants as are veterans of said war in the manner hereinafter designated for a period of five years from the date when this act becomes operative unless the general court shall previously determine that the time of public exigency, emergency and distress has ended, which period is hereinafter referred to as the present emergency.

SECTION 2. In this act, unless the context otherwise requires, the following words shall have the following meanings:

Veteran. — A man or woman who served in the army or navy of the United States at any time on or after December seventh, nineteen hundred and forty-one and before the conclusion of World War II and has been separated therefrom under conditions other than dishonorable. The term shall also include the widow of a man who so served and who died while in such service and the wife of a man who is still serving in said army or navy.

Take by Eminent Domain. — Take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws either a fee or rights less extensive than a fee either with respect to the interest taken or the duration of such rights or both.

Dwelling Unit. — A house, apartment, suite of rooms or room, occupied or designed or available for occupancy as a place of abode by one person, or by two or more persons closely related by blood or marriage living together as a family.

SECTION 3. During the present emergency a city or town may raise, appropriate and expend money and take such other action as is suitable and necessary for the purpose of providing shelter for veterans who are inhabitants of such city or town by any or all of the following methods:

(a) By establishing an information centre in which the dwelling units in such city or town available for veterans will be listed and veterans will be advised and assisted in establishing contact with the persons in charge of the selling or rental of such dwelling units and in determining whether a dwelling unit offered to a veteran is suitable for him at the price or rental charged.

(b) By causing an investigation and survey to be made for the purpose of determining the probable requirements for dwelling units at the time of such investigation and survey and in the succeeding years of veterans and other persons who are inhabitants of such city or town, the number of unoccupied dwelling units in such city or town that are available for occupancy or that may be made available for occupancy, and the number of additional dwelling units, if any, that will be required to meet such requirements, for both temporary and permanent occupation, and, if a deficiency in available dwelling units is found to exist, of recommending means for overcoming such deficiency.

(c) By purchasing, leasing or acquiring by gift or by taking by eminent domain one or more tracts of land which are entirely or almost entirely unoccupied by buildings, preparing such tracts for occupancy as herein provided, and permitting veterans to occupy such tracts with dwelling units of a temporary nature, such as portable or pre-fabricated houses, cabins, huts or trailers; or by itself providing such dwelling units of a temporary nature by causing them to be constructed or by acquiring them through purchase, lease, gift or grant wherever they may be found, causing them to be transported to the tracts so acquired and to be set up and made ready for occupancy. Dwelling units of a temporary nature when provided by a city or town may consist of separate apartments in a building designed to contain two or more dwelling units. Reasonable rates shall be charged for occupancy of land, buildings or other structures under this paragraph.

(d) By using any real estate, which it has acquired by foreclosure of tax titles or in any other way and which is not

devoted to and required by any other public use, for any of the purposes set forth in paragraph (c) of this section.

SECTION 4. The board of appeals from the decisions of the inspector of buildings of a city or town, if it finds that buildings or other structures constructed or assembled under the provisions of paragraph (c) of section three may be occupied and used as therein provided without endangering the safety of the occupants or injuriously affecting the best interests of the city or town although the provisions of all of the statutes, ordinances, by-laws and regulations relating to town planning, the subdivision and use of land, the construction, repair, maintenance and use of buildings may not be complied with, may authorize, under such conditions as it may impose, a variance from the requirements of such statutes, ordinances, by-laws and regulations. The proceedings before a board of appeals under this section shall be summary, and shall not be governed by section thirty of chapter forty of the General Laws and the determination of the board shall be final. In any city or town in which there is no such board of appeals, the mayor of the city or the selectmen of the town may appoint a board of appeals, which shall have all of the powers of a board of appeals under this section. The board of health of such city or town, if it finds that the attendant sanitary conditions are such that the buildings and structures may be occupied as provided in paragraph (c) of section three without endangering the health of the public or of the occupants of such buildings although all of the statutes, ordinances, by-laws and regulations relating to the protection of the public health may not be complied with, may authorize, under such conditions as it may impose, a variance from the requirements of such statutes, ordinances, by-laws and regulations. Within six months after the termination of the present emergency all of such buildings and structures which do not comply with the provisions of all of such statutes, ordinances, by-laws and regulations shall be destroyed or removed, or remodelled in such a way as to comply with all of such statutes, ordinances, by-laws and regulations, and any subdivision or use of land which does not so comply shall be unlawful and shall be discontinued.

SECTION 5. In carrying out the provisions of this act, any city or town in which a housing authority has been organized under sections twenty-six L and twenty-six M of chapter one hundred and twenty-one of the General Laws shall use such housing authority as its agent, and all moneys appropriated under this act or received by such city or town for the purposes of this act from any source shall be paid to the treasurer of the authority, and shall be disbursed by him subject to section twenty-six EE of said chapter. In any other city or town the city council or the town at its annual town meeting or at a special meeting called for the purpose, shall designate the board or officer to carry out the provisions of this act, or may establish a new board or office for the purpose.

SECTION 6. The authority, board or officer authorized by

a city or town to carry out the provisions of this act shall determine in the first instance reasonable rates for rents and prices to be charged to veterans under paragraph (c) of section three, which shall be no higher than the limits imposed by any applicable federal regulation. In such determination the cost of the property or services sold, rented or furnished, the price of similar property or services in the open market, the value thereof to the veteran purchasing or renting the same and the ability of veterans generally to pay therefor may all be considered. Unusual factors due to the present emergency itself may be disregarded. Any person aggrieved by the determination of reasonable rates under this section, or ten taxable inhabitants of such city or town, may appeal to the state board of housing from such determination within ten days after it has been made; and the decision of such board upon questions of fact shall be final.

SECTION 7. A city or town may incur debt to meet expenses necessary for carrying out this act. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates. Indebtedness incurred under this act shall be outside the statutory limit and, except as provided herein, be subject to the applicable provisions of chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof; provided, that the total amount of indebtedness under this act outstanding at any one time in any city or town shall not exceed one half of one per cent on the average of the assessors' valuation of its taxable property for the three preceding years, reduced and otherwise determined as provided in section ten of said chapter forty-four.

SECTION 8. A city or town, for the purpose of carrying out any of the provisions of this act may receive grants or gifts from the United States government, or any federal agency, the commonwealth or any person or corporation, of money, land, buildings, structures, materials, furniture, equipment or other property, or services, and may co-operate with the United States government, or any federal agency, the commonwealth, or any person or corporation, in carrying out the provisions of this act, as a joint enterprise or in any other manner.

Approved January 30, 1946.

AN ACT INCREASING THE AMOUNT OF MONEY THAT THE TOWN OF HINGHAM MAY BORROW FOR SCHOOL PURPOSES. *Chap. 14*

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter ten of the acts of nineteen hundred and forty-five is hereby amended by striking out, in the seventh line, the word "two" and inserting in place thereof the word: — five, — so as to read as follows: — *Section 1.* For the purposes of acquiring land for and constructing one or more school buildings, or constructing additions to existing school buildings, and of originally equipping and furnishing the same, the town of Hingham may

borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Hingham School Building Loan, Act of 1945. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1946.

Chap. 15 AN ACT RELATIVE TO THE USE OF CERTAIN PARK AND COMMON LAND IN THE TOWN OF COHASSET FOR THE ERECTION OF A POLICE STATION AND AUTHORIZING THE TAKING BY EMINENT DOMAIN OF OUTSTANDING RIGHTS AND INTERESTS IN SUCH LAND.

Be it enacted, etc., as follows:

SECTION 1. The town of Cohasset is hereby authorized to discontinue the use for park or common purposes of the land within the town hereinafter described, and is further authorized to utilize said land for the purpose of erecting thereon and maintaining a police station. Said land is situated on Depot avenue, otherwise called Depot court, and Ripley road, being bounded and described as follows:—northerly by land now or late of Howe, about one hundred and eighty-seven and three tenths feet; easterly by land now or late of Fernald, about one hundred and fifty-six and five tenths feet; southerly by said Depot avenue, about twenty-seven and one tenth feet; southwesterly by said Depot avenue, about fifty-nine and eight tenths feet; and westerly by said Ripley road, about one hundred and fifty-five and five tenths feet.

SECTION 2. Said town, through its board of selectmen, is further authorized and empowered to take for said purpose by eminent domain under chapter seventy-nine of the General Laws any and all outstanding right, title or interest in said land of whatever nature or description including a condition subsequent, right of reverter, restriction or condition attached thereto or reserved by deed to said town by The Cohasset Improvement Association, Inc., dated February twenty-third, in the year nineteen hundred and thirty-five, recorded with Norfolk Deeds, book two thousand and seventy-six, page six hundred and fifteen.

SECTION 3. This act shall take full effect upon its acceptance by vote of the inhabitants of said town of Cohasset at any annual town meeting, or any special town meeting called for the purpose, held within three years subsequent to its passage, but not otherwise. *Approved January 31, 1946.*

AN ACT RELATIVE TO CERTAIN LINES, POLES AND OTHER EQUIPMENT OF THE NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY, THE WESTERN UNION TELEGRAPH COMPANY AND THE CITY OF HOLYOKE GAS AND ELECTRIC DEPARTMENT IN THE CITY OF HOLYOKE. *Chap. 16*

Be it enacted, etc., as follows:

SECTION 1. All lines for the transmission of intelligence by electricity heretofore acquired or constructed by the New England Telephone and Telegraph Company, the American Telephone and Telegraph Company and the Western Union Telegraph Company in the city of Holyoke, and all lines for the transmission of electricity for light, heat or power heretofore acquired or constructed by the city of Holyoke gas and electric department in said city, upon, along, under or over the public ways and places of said city, and the poles, piers, abutments, conduits, manholes, vaults and other fixtures necessary to sustain, protect or operate the wires and cables of said lines and actually in place on the effective date of this act, are hereby made lawful notwithstanding the lack of any valid locations therefor or any informality in the proceedings relative to their location and erection; provided, that the validation aforesaid shall not be effective as to the lines, structures or fixtures aforesaid of such department or any of said companies in said city unless such department or company shall, not later than December thirty-first, nineteen hundred and forty-six, file with the clerk of said city a map or maps showing the location and nature of said lines, structures and fixtures in said city, such map or maps so filed to be recorded and kept with the records of original locations for poles and wires in said city.

SECTION 2. This act shall take full effect upon its passage.

Approved February 1, 1946.

AN ACT RELATIVE TO FEES TO BE CHARGED BY THE SEALER OF WEIGHTS AND MEASURES OF THE CITY OF CHELSEA FOR SEALING CERTAIN WEIGHING AND MEASURING DEVICES. *Chap. 17*

Be it enacted, etc., as follows:

Notwithstanding the provisions of section fifty-six of chapter ninety-eight of the General Laws, as amended, the sealer of weights and measures of the city of Chelsea shall receive the following fees for sealing the following weighing and measuring devices: —

(a) Each scale with a weighing capacity of more than ten thousand pounds, three dollars.

(b) Each scale with a weighing capacity of five thousand to ten thousand pounds, two dollars.

(c) Each scale with a weighing capacity of one hundred to five thousand pounds, one dollar.

(d) Each liquid capacity measure, except vehicle tanks, of the capacity of more than one gallon, ten cents.

(e) Each liquid-measuring meter, except water meters, the diameter of the inlet pipe of which is one inch or less, fifty cents; and for each such meter the diameter of the inlet pipe of which is more than one inch, three dollars.

(f) All other scales, balances and measures on pumps, twenty-five cents each.

(g) Each taximeter, or measuring device used upon vehicles for determining the cost of transportation, one dollar.

(h) Each machine or other device used for determining the measurement of leather, one dollar.

(i) Milk bottles or jars, fifty cents per gross.

(j) Vehicle tanks used in the sale of commodities by liquid measure and having a capacity of one hundred gallons or less, one dollar. For each additional one hundred gallons or fraction thereof, an additional fee of fifty cents shall be received. When a vehicle tank is subdivided into two or more compartments, each compartment shall, for the purpose of this section, be considered as a separate tank.

(k) All weights and other measures, five cents each.

He shall also receive reasonable compensation for necessary repairs, alterations and adjustments made by him.

Approved February 1, 1946.

Chap. 18 AN ACT INCORPORATING THE MASSACHUSETTS LEGISLATORS ASSOCIATION.

Be it enacted, etc., as follows:

Raymond F. O'Connell, Ernest J. Sparrell, Bernard P. Casey, Martin Hays, George P. Hassett, Daniel J. Honan, Thomas J. Hannon, Frederick B. Willis, Ralph Lerche, Leslie B. Cutler and Chester T. Skibinski, their associates and successors, are hereby made a corporation by the name of the Massachusetts Legislators Association, with all of the powers and privileges, and subject to all the duties, restrictions and liabilities, set forth in all general laws now or hereafter in force relating to corporations incorporated under chapter one hundred and eighty of the General Laws, so far as the same are applicable.

The objects of said corporation shall be the promotion of the happiness and well being of the members, the holding of social meetings and other gatherings, and the contributing of its best efforts in promoting and protecting the interests of the commonwealth and of the nation.

Approved February 5, 1946.

Chap. 19 AN ACT MAKING AN APPROPRIATION FOR REGILDING THE DOME OF THE STATE HOUSE AND FOR NECESSARY PAINTING OR OTHER WORK INCIDENTAL THERETO.

Be it enacted, etc., as follows:

SECTION 1. The sum herein set forth, for the purposes herein specified, is hereby appropriated from the general fund or revenue of the commonwealth, subject to the pro-

visions of law regulating the disbursement of public funds and the approval thereof.

Item	For regilding the dome of the state house and for necessary painting and other work incidental thereto	\$20,000 00
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SECTION 2. This act shall take effect upon its passage.
Approved February 5, 1946.

AN ACT FIXING THE DAY OF THE WEEK ON WHICH SPECIAL ELECTIONS TO FILL VACANCIES IN THE OFFICE OF REPRESENTATIVE TO THE GENERAL COURT SHALL BE HELD AND RELATIVE TO THE DATE OF HOLDING PRIMARIES BEFORE SPECIAL ELECTIONS AND THE FILING OF NOMINATION PAPERS. Chap. 20

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section one hundred and forty-one of chapter fifty-four of the General Laws, as most recently amended by section seven of chapter thirty-eight of the acts of nineteen hundred and forty-five, is hereby further amended by inserting before the last sentence the following sentence: — All such elections shall be held on a Tuesday, — so that said paragraph will read as follows: —

G. L. (Ter. Ed.), 54, § 141, etc., amended.

Upon a vacancy in the office of representative in the general court or upon failure to elect, the speaker of the house of representatives shall issue precepts to the aldermen of each city and the selectmen of each town comprising the district or any part thereof, appointing such time as the house of representatives may order for an election to fill such vacancy; provided, that if such vacancy occurs during a recess between the first and second annual sessions of the same general court, the speaker may fix the time for an election to fill such vacancy. All such elections shall be held on a Tuesday. Upon receipt of such precepts, the aldermen or the selectmen shall call an election, which shall be held in accordance with the precepts.

Vacancy, office of representative in the general court.

SECTION 2. The first paragraph of section ten of chapter fifty-three of the General Laws, as appearing in section four of chapter three hundred and seventy-three of the acts of nineteen hundred and thirty-eight, is hereby amended by striking out, in the seventh line, the word "fourth" and inserting in place thereof the word: — sixth, — so as to read as follows: — All certificates of nomination and nomination papers of candidates for offices to be filled at a state election shall be filed on or before the fourteenth Tuesday preceding the day of the election; but if there is a special election to fill any state office, all certificates of nomination and nomination papers shall be filed on or before the sixth Tuesday preceding the day of such election.

G. L. (Ter. Ed.), 53, § 10, etc., amended.

Time for filing certificates of nomination and nomination papers for election.

SECTION 3. Section twenty-eight of said chapter fifty-three, as most recently amended by section seven of chapter

G. L. (Ter. Ed.), 53, § 28, etc., amended.

Days and
places of
holding
primaries.

four hundred and seventy-three of the acts of nineteen hundred and thirty-eight, is hereby further amended by striking out, in the sixth line, the word "second" and inserting in place thereof the word: — third, — so that the first paragraph will read as follows: — State primaries shall be held on the seventh Tuesday preceding biennial state elections, city primaries on the third Tuesday preceding regular city elections, town primaries on the second Tuesday preceding town elections, primaries before all special elections on the third Tuesday preceding such elections, and presidential primaries on the last Tuesday in April in any year in which presidential electors are to be elected; except that city primaries or preliminary elections held under general or special law before regular city elections in cities which accept section one hundred and three A of chapter fifty-four shall be held on the fourth Tuesday preceding such city elections, and except that town primaries before regular town elections in towns which have accepted said section shall be held on the fourth Tuesday preceding such town elections.

G. L. (Ter.
Ed.), 53, § 48,
etc., amended.

Last day for
filing nomination
papers.

SECTION 4. Section forty-eight of said chapter fifty-three, as most recently amended by chapter fifty-three of the acts of nineteen hundred and forty-three, is hereby further amended by striking out, in the sixth line, the word "second" and inserting in place thereof the word: — third, — so that the first paragraph will read as follows: — All nomination papers of candidates to be voted for at state primaries shall be filed with the state secretary on or before the seventh Tuesday preceding the day of the primaries; except in the case of primaries before special elections, when nomination papers shall be filed on or before the third Tuesday preceding the day of the primaries.

Approved February 6, 1946.

Chap. 21 AN ACT RELATIVE TO THE HUNTING OR TRAPPING OF BEAVERS DURING A PORTION OF THE YEAR NINETEEN HUNDRED AND FORTY-SIX.

Whereas, This act relates to the hunting, trapping and possession of beavers during the month of February in the current year and its deferred operation would defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter two hundred and fifty-one of the acts of nineteen hundred and forty-five is hereby amended by adding at the end the following sentence: — In the hunting or trapping of beavers under authority of this act, no person shall set, place, locate, tend or maintain a trap within ten feet of a beaver house, nor shall a beaver house or dam be torn open, disturbed or destroyed.

Approved February 8, 1946.

AN ACT REQUIRING THAT CERTAIN STATEMENTS OF POLITICAL EXPENSES BY CANDIDATES AND POLITICAL COMMITTEES BE MADE UNDER THE PENALTIES OF PERJURY. Chap. 22

Be it enacted, etc., as follows:

Section nineteen of chapter fifty-five of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— All such statements shall be signed under the penalties of perjury.

G. L. (Ter. Ed.), 55, § 19, amended.
Filing of statement, oath.

Approved February 8, 1946.

AN ACT RELATIVE TO THE TIME OF FILING OF ANNUAL REPORTS WITH THE DEPARTMENT OF PUBLIC WELFARE BY CERTAIN TRUSTEES. Chap. 23

Be it enacted, etc., as follows:

Section fifteen of chapter sixty-eight of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the eighth line, the word "November" and inserting in place thereof the word:— June, — so as to read as follows:— *Section 15.* Every trustee, incorporated or unincorporated, except a charitable corporation subject to section twelve or twelve A of chapter one hundred and eighty or expressly exempted in said section twelve A from the provisions thereof, who holds in trust within the commonwealth property given, devised or bequeathed for benevolent, charitable, humane or philanthropic purposes and administers, or is under a duty to administer, the same in whole or in part for said purposes within the commonwealth shall annually, on or before June first, make to the department of public welfare a written report for the last preceding financial year of such trust, showing the property so held and administered, the receipts and expenditures in connection therewith, the whole number and the average number of beneficiaries thereof, and such other information as the department requires; provided, that if any such trustee is required by law to file an account with the probate court, said department shall accept a copy thereof in lieu of the report hereinbefore required. Failure for two successive years to file such a report shall constitute a breach of trust within the meaning of section eight of chapter twelve and shall be reported by said department to the attorney general, who shall take such action as may be appropriate to compel compliance with this section.

G. L. (Ter. Ed.), 68, § 15, amended.

Annual reports, certain trustees to file.

Proceedings upon failure to file.

Approved February 8, 1946.

AN ACT RELATIVE TO THE TIME OF FILING OF ANNUAL REPORTS WITH THE DEPARTMENT OF PUBLIC WELFARE BY CERTAIN DOMESTIC CHARITABLE CORPORATIONS. Chap. 24

Be it enacted, etc., as follows:

Section twelve of chapter one hundred and eighty of the General Laws, as appearing in the Tercentenary Edition, is

G. L. (Ter. Ed.), 180, § 12, amended.

Reports to
department
of public
welfare.

hereby amended by striking out, in the third line, the word "November" and inserting in place thereof the word: — June, — so as to read as follows: — *Section 12.* A charitable corporation incorporated in this commonwealth whose personal property is exempt from taxation shall annually, on or before June first, make to the department of public welfare a written report for its last financial year, showing its property, its receipts and expenditures, the whole number and the average number of its beneficiaries and such other information as the department requires. If any corporation subject to this section fails for two successive years to file said report, the supreme judicial court, upon application by the department, after notice and hearing, may decree a dissolution of the corporation. *Approved February 8, 1946.*

Chap. 25 AN ACT RELATIVE TO THE TIME OF FILING OF ANNUAL REPORTS WITH THE DEPARTMENT OF PUBLIC WELFARE BY CERTAIN FOREIGN CHARITABLE CORPORATIONS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 180,
§ 12A, etc.,
amended.

Registration
of certain
foreign
charitable
corporations.

Annual
report.

Penalty.

Section twelve A of chapter one hundred and eighty of the General Laws, as most recently amended by chapter two hundred and forty-six of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the seventeenth line, the word "November" and inserting in place thereof the word: — June, — so as to read as follows: — *Section 12A.* A charitable corporation established, organized or chartered under laws other than those of the commonwealth, except the Grand Army of the Republic, the United Spanish War Veterans, The American Legion, the Disabled American Veterans of the World War and the Veterans of Foreign Wars of the United States, shall, before engaging in charitable work or raising funds in the commonwealth, file with the department of public welfare a copy of its charter, articles or certificate of incorporation, certified under the seal of the state or country where such corporation is incorporated, by the secretary of state thereof or by the officer having charge of the original record therein, and a true copy of its constitution and by-laws, and shall also file with the department such other information as may from time to time be required by it. Such a corporation shall annually, on or before June first, make to said department a written report such as is required by section twelve to be made by charitable corporations subject thereto. Every officer of such a corporation which fails to comply with the requirements of this section who authorizes or transacts, and every agent of such a corporation who transacts, business in behalf of such corporation in this commonwealth, shall be punished by a fine of not more than five hundred dollars. Upon an information in equity in the name of the attorney general at the relation of the commissioner of public welfare, the supreme judicial or superior court may restrain the vio-

lation of this section by such a corporation or the transaction of any business in its behalf by any officer or agent while such violation continues.

Approved February 8, 1946.

AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO MAKE
APPROPRIATIONS FOR THE OBSERVANCE OF THANKSGIVING
DAY. Chap. 26

Be it enacted, etc., as follows:

The town of Plymouth may appropriate annually a sum not exceeding one thousand dollars for expenditure, under the direction of the selectmen, in connection with the observance of Thanksgiving day.

Approved February 8, 1946.

AN ACT AUTHORIZING THE TOWN OF AUBURN TO BORROW
MONEY FOR SCHOOL PURPOSES. Chap. 27

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and constructing a new school building and constructing an addition to an existing school building which will increase the floor space of said building, including the original equipment and furnishing of such new building or such addition, said town may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, four hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Auburn School Loan Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates, but no issue shall be authorized under this act unless a sum equal to twenty-five cents on each one thousand dollars of the assessed valuation of the town for the year preceding the vote has been appropriated from available funds or voted to be raised by taxation for said purpose in the year in which the loan is authorized. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1946.

AN ACT REVIVING MASTER PRODUCTS CO. FOR THE PURPOSE
OF DETERMINING THE OWNERSHIP OF A PATENT. Chap. 28

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to immediately revive the corporation therein referred to for the purpose of determining without delay the ownership of a patent, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Master Products Co., a corporation dissolved on July twentieth, nineteen hundred and forty, by the supreme judicial court under the provisions of section fifty A of chapter one hundred and fifty-five of the General Laws, is hereby revived and continued for a period of two years from the effective date of this act for the purpose of enabling it to participate in proceedings to determine the ownership of a patent; provided, that the foregoing provisions of this act shall not take effect until there shall have been filed in the office of the commissioner of corporations and taxation an agreement, in form approved by the attorney general, for the payment in full of all excise taxes owed to the commonwealth by said corporation prior to its dissolution and subsequently abated as uncollectible, with interest thereon to the date of payment. *Approved February 11, 1946.*

Chap. 29 AN ACT PLACING THE OFFICE OF SUPERINTENDENT OF PUBLIC PROPERTY OF THE CITY OF SALEM UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of superintendent of public property of the city of Salem shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations made thereunder relating to building inspectors in cities. The tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws, but the person holding said office on said effective date shall continue to serve therein only until the expiration of his term of office unless prior thereto he passes a qualifying examination to which he shall be subjected by the division of civil service.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1946.

Chap. 30 AN ACT AUTHORIZING THE TOWN OF IPSWICH TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERS.

Be it enacted, etc., as follows:

SECTION 1. The town of Ipswich may lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system of sewage disposal, and may construct such sewers or drains over and under land or tidewater in said town as may be necessary to conduct the sewage to filter beds and treatment works, and, for the purpose of providing better surface or other drainage, may make, lay and maintain such drains as it deems best. And for the purposes aforesaid, the town may, within its limits, make and maintain sub-drains.

SECTION 2. The town may make and maintain in any way therein where main drains or common sewers are constructed, such connecting drains, underdrains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system of sewerage and sewage disposal, a board of three sewer commissioners who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from the next succeeding annual town meeting, and until their successors are qualified; and thereafter at each annual town meeting, the town shall elect one member of the board to serve for three years and until his successor is qualified. Any selectman shall be eligible to election to said board. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such drains and sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation, except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 5. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen

have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay; provided, that it shall pay not less than one fourth nor more than two thirds of the whole cost. In providing for the payment of the remaining portion of the cost of said system or systems or for the use of said system or systems, the town may avail itself of any or all of the methods permitted by general laws, and the provisions of said general laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this act, except that interest shall be at the rate of six per cent per annum. At the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may borrow such sums as may be necessary, not exceeding, in the aggregate, six hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Ipswich Sewerage Loan, Act of 1946. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 9. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the mainte-

nance and operation of said system of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

SECTION 10. Said board of sewer commissioners may annually appoint a clerk and may appoint a superintendent of sewers who shall not be a member of the board, and shall define their duties. It may remove the clerk or superintendent at its pleasure. Said board may, in its discretion, prescribe for the users of said sewer systems such annual rentals or charges based upon the benefits derived therefrom as it may deem proper, subject however to such rules and regulations as may be fixed by vote of the town.

SECTION 11. All contracts made by the board of sewer commissioners shall be made in the name of the town and shall be signed by the board, but no contract shall be made or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the town therefor.

SECTION 12. Said board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with main drains and sewers, and for inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Ipswich, if there be any, and if not, then in some newspaper published in the county of Essex, and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plans for said system of sewerage and sewage disposal have been approved by the state department of public health. Upon application to said department for its approval, it shall give a hearing, after due notice to the public. At such hearing, plans showing in detail all the work to be done in constructing said system of sewerage and sewage disposal shall be submitted for approval by said department.

SECTION 14. This act shall be submitted for acceptance to the voters of the town of Ipswich at a town meeting, within five years after its passage, in the form of the following question which shall be placed upon the official ballot to be used at said meeting: — "Shall an act passed by the general court in the year nineteen hundred and forty-six, entitled, 'An Act authorizing the town of Ipswich to construct and operate a system of sewers', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 12, 1946.

Chap. 31 AN ACT AUTHORIZING THE TOWN OF PHILLIPSTON TO BORROW MONEY FOR THE CONSTRUCTION OF A SCHOOL AND PUBLIC WORKS BUILDING.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of constructing a school and public works building and of originally equipping and furnishing the same, the town of Phillipston may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, ten thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Phillipston School and Public Works Building Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved February 12, 1946.

Chap. 32 AN ACT REQUIRING BOARDS OF INVESTMENT OF SAVINGS BANKS TO INCLUDE IN THEIR QUARTERLY STATEMENTS DETAILS OF ALL DEFAULTED BONDS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 168,
§ 15, amended.

Meetings
of trustees.

Section fifteen of chapter one hundred and sixty-eight of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "trustees" in the twentieth line the following: —, all bonds on which principal or interest is overdue and unpaid, — so as to read as follows: — *Section 15.* A regular meeting of the board of trustees of such corporation shall be held at least once in three months, for the purpose of receiving the report of its treasurer and for the transaction of other business. Special meetings may be called by the president, and the clerk shall give notice of special meetings upon written request of three trustees. A quorum shall consist of not less than seven trustees, but less than a quorum may adjourn from time to time or until the next regular meeting. At each regular meeting the trustees shall cause to be prepared a statement showing the condition of the corporation as it appears upon its books, in the form of a trial balance of its accounts. Such statement shall be entered in a book which shall form a part of the records of the bank and a copy of such statement shall be posted in a conspicuous place in its banking room, where it may easily be read by the public, and shall there remain until the next regular meeting of said board. At each regular meeting of the trustees the board of investment shall submit a detailed written statement of all loans made by the corporation, all changes in the prop-

erty or security pledged or the rate of interest charged therefor, all purchases or sales of bonds, stocks and notes, all payments by the bank of taxes or insurance on mortgaged property since the last regular meeting of the trustees, all bonds on which principal or interest is overdue and unpaid, and all loans on which interest is more than three months overdue. This statement, or such part thereof as the meeting may determine, shall be read to the trustees present and then shall be filed and preserved with the records of the bank. A record shall be made at each meeting of the transactions of the trustees and of the names of those present. The trustees shall cause to be published semi-annually in a newspaper published in the county where the corporation is located the names of the president, treasurer, members of the board of investment and other officers of the corporation charged with the duty of investing its funds. The first publication thereof shall be within thirty days after the election of said officers, and the second publication at the expiration of six months therefrom.

Approved February 12, 1946.

AN ACT RELATIVE TO RESTRAINT OF PATIENTS IN INSTITUTIONS UNDER THE SUPERVISION OF THE DEPARTMENT OF MENTAL HEALTH. *Chap. 33*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-three of the General Laws is hereby amended by striking out section thirty-five, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 35.* No restraint in the form of muffs or mitts with lock buckles or waist straps, wristlets, anklets or camisoles, head straps, protection sheets or simple sheets when used for restraint, or other device interfering with free movement, shall be imposed upon any patient in any institution except as hereinafter provided, unless applied in the presence of the superintendent, the physician or an assistant physician of the institution, or on his written order, which order shall be preserved in the files or records of the institution for a period of two years. Such devices shall be applied only in cases of extreme violence, infliction of self injury, active homicidal or suicidal condition or physical exhaustion, except that in cases of emergency, restraint may be imposed without the presence of the superintendent, the physician or an assistant physician, and without a written order; but every such emergency case, after the imposition of such restraint, shall immediately be reported to the superintendent, the physician or an assistant physician of the institution, who shall immediately investigate the case, and approve or disapprove the restraint imposed.

SECTION 2. Said chapter one hundred and twenty-three is hereby further amended by striking out section thirty-seven, as so appearing, and inserting in place thereof the

G. L. (Ter. Ed.), 123, § 35, amended.

Restraint regulated.

G. L. (Ter. Ed.), 123, § 37, amended.

Restraint,
record of, etc.

following section:— *Section 37.* The superintendent or head physician of each institution shall cause records of all restraint to be kept in a manner prescribed by the department. Such records shall be open for inspection at all times by the trustees or other persons having control of the institution, the department, the governor and council, and members of the general court, and shall contain a complete record relative to the restraint, including the cause for restraint, the form used, the name of the patient, the time when the patient was placed under restraint and the time when he was released. "Restraint", in sections thirty-five to thirty-eight, inclusive, shall also include therapeutic and chemical restraint and confinement in a strong room, or seclusion in solitary confinement, except as hereinafter provided and except when the patients are placed in their rooms for the night, but shall not include the prolonged bath, the hot or cold pack, or medication when it is used as a remedial measure and not as a form of restraint. "Restraint", in said sections, shall not include chemical or mechanical restraint in cases of contagious disease, during the administration of anesthesia, or following an operation or accident which has caused serious bodily injury, or during the administration of shock therapy, insulin treatment or any other recognized specific therapy.

Approved February 12, 1946.

Definition.

Chap. 34 AN ACT RELATIVE TO SERVICE UPON THE BOARD OF INVESTMENT OF A SAVINGS BANK BY CERTAIN OFFICERS THEREOF.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 168,
§ 13, etc.,
amended.

Section thirteen of chapter one hundred and sixty-eight of the General Laws, as amended by section six of chapter three hundred and thirty-four of the acts of nineteen hundred and thirty-three, is hereby further amended by striking out the fourth sentence and inserting in place thereof the following sentence:— Only one of the persons holding the offices or performing the duties of president, executive vice president, treasurer or clerk shall at the same time be a member of the board of investment, — so as to read as follows:— *Section 13.* The officers of such corporation shall be a president, one or more vice presidents, a board of investment of not less than three, a board of not less than eleven trustees from which the officers hereinbefore mentioned shall be chosen, a treasurer, a clerk, who shall be clerk of the corporation and board of trustees, and such other officers as it may find necessary for the management of its affairs. All officers shall be sworn, and shall hold their several offices until others are elected, and qualified in their stead; and a record of every such qualification shall be filed and preserved by the clerk of the corporation. The trustees shall be elected from the incorporators, and no person shall hold an office in two such corporations at the same time. Only one of the persons holding the offices or per-

Officers.

forming the duties of president, executive vice president, treasurer or clerk shall at the same time be a member of the board of investment. The treasurer, vice treasurer or assistant treasurer shall not be clerk either of the corporation or of the trustees. Not more than three fifths of the members of any such corporation shall be officers thereof at any one time.

Approved February 12, 1946.

AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF CHIEF
ENGINEER OF THE FIRE DEPARTMENT OF THE CITY OF
PITTSFIELD UNDER THE CIVIL SERVICE LAWS. Chap. 35

Be it enacted, etc., as follows:

SECTION 1. The office of chief engineer of the fire department of the city of Pittsfield shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to permanent members of fire departments in cities, and the tenure of office of any incumbent of said office shall be unlimited, subject, however, to said laws, but the present incumbent of said office may continue to serve therein only until the expiration of his term of office unless prior thereto he passes a qualifying examination to which he shall be subjected by the division of civil service.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved February 13, 1946.

AN ACT RELATIVE TO THE FEE FOR RENEWAL REGISTRATIONS
OF PHARMACISTS AND ASSISTANT PHARMACISTS FOR THE
CURRENT YEAR. Chap. 36

Whereas, The provisions of this act relate to the collection of renewal registration fees by the board of registration in pharmacy during the current year and the deferred operation of the act would result in lack of uniformity in the collection thereof, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Any holder of a certificate of registration as a pharmacist or assistant pharmacist issued under section twenty-four of chapter one hundred and twelve of the General Laws who files with the board of registration in pharmacy a properly executed request for a renewal of his registration, for the year ending December thirty-first, nineteen hundred and forty-six, shall, if otherwise entitled thereto, receive a renewal certificate upon payment of a fee of two dollars, notwithstanding the provisions of section twenty-four A of said chapter one hundred and twelve.

SECTION 2. This act shall take effect as of January first, nineteen hundred and forty-six.

Approved February 14, 1946.

Chap. 37 AN ACT CHANGING THE DATE FOR THE HOLDING OF BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

Chapter three hundred and twenty-seven of the acts of nineteen hundred and thirty-six is hereby amended by striking out section one and inserting in place thereof the following section:— *Section 1.* Beginning with the year nineteen hundred and forty-seven, municipal elections in the city of Holyoke for the choice of mayor, aldermen, members of the school committee, city clerk and city treasurer shall be held biennially on the first Tuesday after the first Monday in November in each odd-numbered year.

Approved February 14, 1946.

Chap. 38 AN ACT REQUIRING THAT THE PARTY ENROLLMENT OF CANDIDATES FOR NOMINATION AT CITY PRIMARIES IN THE CITY OF SPRINGFIELD BE PLACED ON NOMINATION PAPERS AND OFFICIAL BALLOTS TO BE USED FOR SUCH PRIMARIES.

Be it enacted, etc., as follows:

Nomination papers for use for nominating any candidate to be voted for at any city primary in the city of Springfield shall contain a form for a statement which shall be filled out and signed by the registrars of voters of said city, stating that the candidate is enrolled as a member of a political party, giving the name of the party, or stating that he is not enrolled in any political party, as the case may be; and there shall not be printed on the official ballot at any city primary in said city the name of any person as a candidate for nomination unless such blank statements on his nomination papers are filled out and signed by said registrars. Against the name of any such candidate on the official ballot to be used at any such primary shall be printed the name of the political party of which he is an enrolled member, or, if he is not enrolled in any political party, the word "un-enrolled".

Approved February 14, 1946.

Chap. 39 AN ACT AUTHORIZING THE CITY OF LYNN TO SELL CERTAIN UNUSED PARK LAND.

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn, by its proper authorities, may improve, lay out, subdivide with streets and sell any part or parts or the whole of the unused portion of certain park land in said city, hereinafter described; provided, that the board of park commissioners of said city shall, by vote at a regular meeting of said board, assent to any such sale. Said unused land is bounded and described as follows: northerly by other land of city of Lynn, one hundred fifty-two and fifty-five hundredths feet; easterly by land of Hume W. and Shirley S. Thistle, two hundred seventy-one and forty

hundredths feet; southerly by land of said Hume W. and Shirley S. Thistle one hundred fifty and twelve hundredths feet; and westerly by other land of city of Lynn, two hundred seventy and eighty-eight hundredths feet. Containing forty-one thousand, twenty-eight square feet, and shown on plan dated November 29, 1945, signed by Frank E. Gowdy, City Engineer, numbered 61-A-J.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved February 14, 1946.

AN ACT AUTHORIZING THE CITY OF LYNN TO SELL PART OF SLUICE POND, SO-CALLED, IN THE CITY OF LYNN. *Chap. 40*

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn, by its city council, may sell the parcel of land hereinafter described, provided that the board of park commissioners of said city shall, by vote at a regular meeting of said board, assent to such sale. Said parcel is bounded northerly by land of Joseph E. and Margaret P. Burgess; westerly by land of Edith M. Harnois; and southeasterly by Sluice pond; and contains approximately eighteen hundred ninety square feet. Being a portion of Parcel one, Land Court Case No. 12562, and shown on plan entitled, "Subdivision of Parcel '1' shown upon Plan 12562-A filed with Certificate of Title #11694 Registry District of Essex County, Land in Lynn, Mass.," dated December six, nineteen hundred and forty-five, signed by Frank E. Gowdy, city engineer.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved February 14, 1946.

AN ACT AUTHORIZING THE CHANGE OF RATING OF CERTAIN PERSONS HOLDING THE RATING OF METER READER IN THE PUBLIC WORKS DEPARTMENT OF THE CITY OF BOSTON. *Chap. 41*

Be it enacted, etc., as follows:

The director of civil service, upon application of the commissioner of public works of the city of Boston, shall change the rating of any person classified as a meter reader in the public works department of said city, who has been employed in such capacity for five or more years, to that of clerk-meter reader; provided, that such person is the senior meter reader in point of service who is willing to accept such change in rating.

Approved February 14, 1946.

Chap. 42 AN ACT TO AUTHORIZE THE TOWN OF HADLEY TO BORROW MONEY IN EXCESS OF THE STATUTORY LIMIT FOR THE PURPOSE OF BUILDING, EQUIPPING AND FURNISHING A SCHOOL BUILDING.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and originally equipping and furnishing a school building, the town of Hadley may borrow from time to time, within a period of three years from the passage of this act, such sums of money as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Hadley School Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates, but no loan shall be authorized under this act unless a sum equal to twenty-five cents on each one thousand dollars of the assessed valuation of the town in the preceding year is voted for the same purpose to be raised by taxation in the year when authorized, or appropriated from available funds. Indebtedness incurred under this act shall be outside the statutory limit and shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved February 18, 1946.

Chap. 43 AN ACT RELATIVE TO STAY OF JUDGMENT AND EXECUTION IN ACTIONS OF SUMMARY PROCESS.

Whereas, The deferred operation of this act would tend in part to defeat its purpose, which is to provide the courts with further discretionary authority to prevent serious hardships in eviction cases arising out of the present severe housing shortage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the welfare of the public.

Be it enacted, etc., as follows:

SECTION 1. So long as this act continues in force, a stay of judgment and execution may be granted under sections nine to thirteen, inclusive, of chapter two hundred and thirty-nine of the General Laws, for a period not exceeding three months instead of one month as now provided by section nine of said chapter.

SECTION 2. This act shall become inoperative on October thirty-first, nineteen hundred and forty-seven.

Approved February 18, 1946.

AN ACT TO PROVIDE ADEQUATE FACILITIES FOR PHOTOSTATIC EQUIPMENT AT THE REGISTRY OF DEEDS AT CAMBRIDGE. *Chap. 44*

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Middlesex may make such alterations to, and do such remodeling of, the registry of deeds and probate building at Cambridge in said county as may be necessary to provide adequate facilities for the installation and operation of photostatic equipment at said registry of deeds, and do all things incidental thereto.

SECTION 2. For the purposes aforesaid the county commissioners may expend not more than five thousand dollars, and bills for such alterations may be paid by the treasurer, when approved by the county commissioners, out of any available funds. The said sum shall be included in the appropriations for the current year for said county.

SECTION 3. This act shall take effect upon its passage.

Approved February 20, 1946.

AN ACT GIVING EFFECT TO ACTION TAKEN AT CITY ELECTIONS IN NINETEEN HUNDRED AND FORTY-FIVE AS TO PLACING CERTAIN CITY OFFICES UNDER CIVIL SERVICE. *Chap. 45*

Whereas, The law governing the placing of city offices under civil service by action at city elections was changed without exempting pending petitions as to certain of such offices, and the resulting condition should be remedied as soon as may be, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

All votes taken at any city election in the year nineteen hundred and forty-five in answer to questions submitted under section forty-nine A of chapter thirty-one of the General Laws, pursuant to petitions filed prior to the effective date of chapter seven hundred and one of the acts of nineteen hundred and forty-five, shall have the same effect as if said chapter seven hundred and one had not been enacted.

Approved February 20, 1946.

AN ACT RELATIVE TO THE TERMS OF OFFICE OF THE MEMBERS OF THE FIRE COMMISSION IN THE CITY OF WESTFIELD. *Chap. 46*

Be it enacted, etc., as follows:

SECTION 1. Paragraph numbered 4 of section eight of chapter two hundred and ninety-four of the acts of nineteen hundred and twenty, as amended by section one of chapter five hundred and six of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out, in the fifth line, the word "two" and inserting in place thereof the word: — three, — so as to read as follows: —
4. The fire department, under the charge of a commission

of three members, who shall be appointed by the mayor, subject to confirmation by the city council, and who shall choose their chairman and shall serve for the term of three years and until their successors are appointed and qualified.

SECTION 2. In the appointment of members of the fire commission in the city of Westfield upon the expiration of the terms of office existing on the date this act is accepted, one shall be appointed to serve for three years, one shall be appointed to serve for two years and one shall be appointed to serve for one year. Thereafter, upon the expiration of the term of office of any member, his successor shall be appointed to serve for three years.

SECTION 3. This act shall be submitted to the registered voters of the city of Westfield at the biennial state election to be held in the current year in the form of the following question which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the year nineteen hundred and forty-six, entitled 'An Act relative to the terms of office of the members of the fire commission in the city of Westfield', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved February 20, 1946.

Chap. 47 AN ACT RELATIVE TO LOANS BY CREDIT UNIONS SECURED BY ASSIGNMENTS OF LIFE INSURANCE POLICIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 171, § 24, etc., amended.

Paragraph 5 of subsection (A) of section twenty-four of chapter one hundred and seventy-one of the General Laws, as appearing in chapter one hundred and two of the acts of nineteen hundred and forty-one, is hereby amended by adding at the end the following: — , or policies issued by life insurance companies authorized to transact business in this commonwealth, valued at not more than their cash surrender value, — so as to read as follows: — 5. To an amount not exceeding three thousand dollars, if evidenced by the note of the borrower and with sufficient collateral pledged to secure the same made up of bonds or notes of the United States, or of any state or subdivision thereof, which are legal investments for savings banks in this commonwealth valued at not more than eighty per cent of their market value, or by the assignment of the pass book of a depositor in a savings bank doing business in any of the New England states or in the savings department of a trust company or national banking association doing business in this commonwealth, or the pass book of a depositor in a co-operative bank incorporated under chapter one hundred and seventy, or policies issued by life insurance companies authorized to transact business in this commonwealth, valued at not more than their cash surrender value.

Approved February 20, 1946.

Loans regulated.

AN ACT RELATIVE TO THE HOURS OF LABOR OF CERTAIN MINORS IN TELEGRAPH OFFICES. *Chap. 48*

Be it enacted, etc., as follows:

Section sixty-six of chapter one hundred and forty-nine of the General Laws, as most recently amended by chapter two hundred and fifty-five of the acts of nineteen hundred and thirty-nine, is hereby further amended by inserting after the word "exchanges" in the ninth line the words: — or telegraph offices, — so as to read as follows: — *Section 66.* No person shall employ a boy under eighteen or a girl under twenty-one or permit such a boy or girl to work in, about or in connection with any establishment or occupation named in section sixty before six o'clock in the morning or after ten o'clock in the evening, or in the manufacture of textile goods or leather after six o'clock in the evening; provided, that girls under twenty-one may be employed as operators in regular service telephone exchanges or telegraph offices until, but not after, eleven o'clock in the evening and provided, further, that nothing herein shall authorize the employment of girls under twenty-one in any capacity in manufacturing or mechanical establishments in violation of section fifty-nine.

G. L. (Ter. Ed.), 149, § 66, etc., amended.

Hours of labor of certain minors.

Approved February 20, 1946.

AN ACT RELATIVE TO AMENDMENTS OF CREDIT UNION BY-LAWS AND TO APPROVAL THEREOF BY THE COMMISSIONER OF BANKS. *Chap. 49*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-one of the General Laws is hereby amended by striking out section eight, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 8.* Subject to section nine, the by-laws may be amended at any annual meeting, or at a special meeting called for the purpose, by a three fourths vote of all the members present and entitled to vote; provided, that notice of the meeting and of the proposed amendment is given each member in the manner prescribed in said by-laws.

G. L. (Ter. Ed.), 171, § 8, amended.

Amendments to by-laws.

SECTION 2. Said chapter one hundred and seventy-one is hereby further amended by striking out section nine, as so appearing, and inserting in place thereof the following section: — *Section 9.* No credit union shall receive any deposits or payments on account of shares, or make any loans, until its by-laws have been approved in writing by the commissioner, nor shall any amendments to its by-laws become operative until they have been so approved. In approving any such amendments, the commissioner may correct or cause to be corrected any errors or inconsistencies therein.

G. L. (Ter. Ed.), 171, § 9, amended.

Approval by commissioner.

Approved February 20, 1946.

- Chap. 50* AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY, ACTING AS THE WALDEN POND STATE RESERVATION COMMISSION, TO APPOINT POLICE OFFICERS FOR THE WALDEN POND STATE RESERVATION.

Be it enacted, etc., as follows:

Section three of chapter four hundred and ninety-nine of the acts of nineteen hundred and twenty-two is hereby amended by adding at the end the following sentence:— Said commission may appoint one or more police officers who on said reservation shall have all the powers and duties of police officers of cities and towns, — so as to read as follows:— *Section 3.* Said commission shall be vested with full power and authority to care for, protect and maintain the Walden pond state reservation in behalf of the commonwealth. Said commission may appoint one or more police officers who on said reservation shall have all the powers and duties of police officers of cities and towns.

Approved February 20, 1946.

- Chap. 51* AN ACT INCREASING THE AMOUNT OF MONEY WHICH CITIES AND TOWNS MAY APPROPRIATE FOR THE PURPOSE OF PROVIDING SUITABLE QUARTERS FOR POSTS OF THE AMERICAN LEGION AND OTHER ORGANIZATIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 40, § 9, etc., amended.
Quarters for posts of certain war veterans.

Section nine of chapter forty of the General Laws is hereby amended by striking out the first paragraph, as amended, and inserting in place thereof the following paragraph:— A city or town may for the purpose of providing suitable headquarters for a post or posts of The American Legion and of the Veterans of Foreign Wars of the United States and for a chapter or chapters of the Disabled American Veterans of the World War and for a post or posts of the Jewish War Veterans of the United States and for a post or posts of La Legion Franco-Americaine des Etats-Unis d'Amerique, lease for a period not exceeding five years buildings or parts of buildings which shall be under the direction and control of such post or posts, or chapter or chapters, subject to regulations made in cities by the mayor with the approval of the council and in towns by vote of the town, and for said purposes a town with a valuation of less than five million dollars may annually appropriate not more than two thousand dollars; a town with a valuation of five million dollars but not more than twenty million dollars may annually appropriate not more than three thousand dollars; a town with a valuation of more than twenty million dollars but not more than seventy-five million dollars may annually appropriate not more than four thousand dollars; a town with a valuation of more than seventy-five million dollars but not more than one hundred fifty million dollars may annually appropriate not more than five thousand dollars; and a town with a valuation of more than one hundred fifty million dollars

may annually appropriate five thousand dollars for each one hundred fifty million dollars of valuation, or fraction thereof. The city council of a city may, by a two thirds vote, appropriate money for armories for the use of the state militia, for the celebration of holidays, for the purpose of providing or defraying the expenses of suitable quarters for posts of the Grand Army of the Republic, including the heating and lighting of such quarters, and for other like public purposes to an amount not exceeding in any one year one fiftieth of one per cent of its valuation for such year.

Approved February 20, 1946.

AN ACT RELATIVE TO CERTAIN PROMOTIONS FROM THE LABOR SERVICE TO THE OFFICIAL SERVICE OF A DEPARTMENT, BOARD OR COMMISSION UNDER THE CIVIL SERVICE LAW.

Chap. 52

Be it enacted, etc., as follows:

Section fifteen B of chapter thirty-one of the General Laws, inserted therein by chapter five hundred and twenty of the acts of nineteen hundred and forty-three, is hereby amended by adding at the end the words: — who have been employed therein for at least one year, — so as to read as follows: — *Section 15B.* An appointing official, with the approval of the director, may promote to the lowest grade in the official service of a department, board or commission employees in the labor service of the same department, board or commission who pass a competitive promotional examination open to all the employees in said labor service of said department, board or commission who have been employed therein for at least one year.

G. L. (Ter. Ed.), 31, § 15B, etc., amended.

Promotion of employees in labor service.

Approved February 20, 1946.

AN ACT CLARIFYING THE DEFINITION OF THE WORD "DEPARTMENT" AS USED IN THE CIVIL SERVICE LAW.

Chap. 53

Be it enacted, etc., as follows:

Section fifteen C of chapter thirty-one of the General Laws, inserted therein by section five of chapter seven hundred and four of the acts of nineteen hundred and forty-five, is hereby amended by inserting before the word "division" in the tenth line the word: — department, — so as to read as follows: — *Section 15C.* On or before March first in each year, every appointing officer shall submit to the director in such form as he may require, under the penalties of perjury, a list of officers and employees in his department who are civil service employees, setting forth the title of the class and grade of the office or position of each such officer and employee and his seniority determined as provided in section fifteen D.

G. L. (Ter. Ed.), 31, § 15C, etc., amended.

The word "department" defined.

The word "department", as used in this section, shall mean a department, division, institutional unit or other unit of a department in case such a unit is established by law, ordinance or by-law or under authority thereof, and, when

so used with respect to employees in the labor service of the department of public works, shall mean the district established under section eighteen A in which such employees serve.

Approved February 20, 1946.

Chap. 54 AN ACT AUTHORIZING THE TOWN OF MILFORD TO BORROW MONEY FOR THE PURPOSE OF MAKING NECESSARY ALTERATIONS TO AND REPAIRS OF ITS TOWN HALL BUILDING.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of making necessary alterations to and repairs of its town hall building, the town of Milford may borrow from time to time, within a period of three years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, fifty-eight thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Milford Town Hall Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be within the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved February 20, 1946.

Chap. 55 AN ACT LIMITING THE TIME DURING WHICH CERTAIN LEGISLATION PROVIDING FOR TEMPORARY RE-EMPLOYMENT OF FORMER OFFICERS AND EMPLOYEES OF THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS DURING WORLD WAR II SHALL REMAIN IN FORCE, AND PENALIZING VIOLATIONS OF THE PROVISIONS OF SUCH LEGISLATION.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to make possible the more prompt termination of the provisions of the act to which this is an amendment, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter sixteen of the acts of nineteen hundred and forty-two is hereby amended by striking out section three and inserting in place thereof the two following sections: — *Section 3.* Whoever violates, and whoever neglects or refuses to comply with, any provision of this act shall be punished by a fine of not less than one hundred nor more than one thousand dollars.

Section 4. This act shall remain in effect only until the first day of June, nineteen hundred and forty-six, and employments hereunder shall not extend beyond said date.

Approved February 25, 1946.

AN ACT PROVIDING FOR THE CONSTRUCTION AND EQUIPMENT OF NEW BARNs AND A SILO AND APPURTENANCES THERETO AT THE MIDDLESEX COUNTY HOUSE OF CORRECTION IN BILLERICA IN SAID COUNTY. *Chap. 56*

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized to raise and expend a sum not exceeding thirty-two thousand five hundred dollars for the construction and equipment of two barns and a silo and appurtenances thereto at the Middlesex county house of correction in Billerica in said county.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1946.

AN ACT AUTHORIZING THE TOWN OF WEST TISBURY TO USE FOR EDUCATIONAL PURPOSES CERTAIN PROPERTY TRANSFERRED TO IT BY THE TRUSTEES OF DUKES COUNTY ACADEMY. *Chap. 57*

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and fifty-four of the acts of nineteen hundred and thirty-nine is hereby amended by adding at the end the words: — , and said town is hereby authorized to use for educational purposes the existing school building transferred to it under authority hereof, — so as to read as follows: — *Section 1.* The Trustees of Dukes County Academy, incorporated by chapter seventy-nine of the acts of eighteen hundred and thirty-three, also known as the Dukes County Academy Association, is hereby authorized to transfer all real estate and moneys held by it to the town of West Tisbury, the property transferred as aforesaid to be used for the purpose of constructing a school building in said town, and said town is hereby authorized to use for educational purposes the existing school building transferred to it under authority hereof.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1946.

AN ACT AUTHORIZING THE NEW BEDFORD FIVE CENTS SAVINGS BANK TO MAKE FURTHER INVESTMENTS IN BUILDINGS FOR THE CONVENIENT TRANSACTION OF ITS BUSINESS. *Chap. 58*

Be it enacted, etc., as follows:

SECTION 1. The New Bedford Five Cents Savings Bank, incorporated by chapter one hundred and eighty-nine of the acts of eighteen hundred and fifty-five, may, subject to the approval of the commissioner of banks, invest in the alteration and renovation of any building owned by it in the city of New Bedford and used in whole or in part for the convenient transaction of its business a sum or sums not exceeding, in the aggregate, three hundred and fifty thousand

dollars, in addition to any sums heretofore authorized to be invested in land or buildings for said use.

SECTION 2. This act shall take effect upon its passage.
Approved February 25, 1946.

Chap. 59 AN ACT CLARIFYING THE LAWS RELATIVE TO THE COMPUTATION OF SENIORITY OF OCCUPANTS OF POSITIONS PLACED UNDER CIVIL SERVICE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 31, § 47A, etc., amended.

The second paragraph of section forty-seven A of chapter thirty-one of the General Laws, as most recently amended by section three of chapter seven hundred and one of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the following sentence:— After seniority is determined as provided herein, it shall continue subject however to the provisions of section fifteen D, — so as to read as follows:—

Determination of rating and seniority date.

The director shall notify each person on said list of his rating and seniority date and shall state the type and kind of work of each employee, the seniority date as furnished by the appointing authority and such other information as the director may deem pertinent. The appointing authority shall cause a copy of such list to be posted in a public place in said city or town for a period of thirty days. Within thirty days after said notification and said posting of such list, any person whose rights are alleged to have been affected may appeal to the director for a hearing. The director or his authorized representative shall forthwith hold a hearing and shall hear all parties concerned. After said hearing the director may make such changes as he may deem necessary in the rating and seniority date. After seniority is determined as provided herein, it shall continue subject however to the provisions of section fifteen D.

Approved February 25, 1946.

Chap. 60 AN ACT PROVIDING FOR PLACING ON THE CIVIL SERVICE RE-EMPLOYMENT LIST NAMES OF PERSONS WHO HAVE RESIGNED ON ACCOUNT OF ILLNESS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 31, § 46I, etc., amended.

Section forty-six I of chapter thirty-one of the General Laws, inserted therein by section eight of chapter seven hundred and three of the acts of nineteen hundred and forty-five, is hereby amended by inserting after the word “discharge” in the third line the words:— , except resignation on account of illness, — so as to read as follows:— *Section 46I.* Whenever a person is separated from the official or labor service for any reason other than resignation or discharge, except resignation on account of illness, his name shall be placed by the director on the re-employment list, and shall remain on such list for a period of five years or

Certain persons to remain on lists for certain period.

until he is appointed to a position after certification from such list or reinstated to a civil service position, but the foregoing shall not apply to persons originally employed on requisition for temporary service or to provisional appointees. Thereafter, on requisition to fill any position which, in the judgment of the director, can be filled from such re-employment list, the director, before certifying from the regular list, shall certify from such re-employment list, in accordance with the rules relative to certification, the names of persons then standing thereon in the order of the dates of their original appointment. *Approved February 25, 1946.*

AN ACT RELATIVE TO THE PLACING UNDER CIVIL SERVICE
OF CERTAIN MUNICIPAL OFFICES THE INCUMBENTS OF
WHICH SERVED IN THE MILITARY OR NAVAL FORCES OF
THE UNITED STATES DURING THE PRESENT NATIONAL
EMERGENCY. Chap. 61

Be it enacted, etc., as follows:

The first paragraph of section thirteen of chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as appearing in chapter three hundred and thirty-eight of the acts of nineteen hundred and forty-three, is hereby amended by inserting after the word "years" in the second line the words: — , or ten years, as the case may be, — and by striking out, in the fifth line, the words "one year" and inserting in place thereof the words: — two years, — so as to read as follows: — In computing the period of five years, or ten years, as the case may be, of continuous service required under section forty-nine A of chapter thirty-one of the General Laws of an incumbent of a municipal office who has entered said military or naval service and returns to said office within two years after the termination of said service, the period between his entry into said service and his return to said office shall be counted.

Approved February 25, 1946.

AN ACT RELATIVE TO THE SENIORITY AND COMPENSATION
RIGHTS OF PUBLIC OFFICERS AND EMPLOYEES WHO SERVED
IN THE MILITARY OR NAVAL FORCES OF THE UNITED STATES
DURING THE PRESENT NATIONAL EMERGENCY. Chap. 62

Be it enacted, etc., as follows:

Section twenty-four of chapter seven hundred and eight of the acts of nineteen hundred and forty-one is hereby amended by striking out, in the third line, the words "one year" and inserting in place thereof the words: — two years, — so as to read as follows: — *Section 24.* Any person who returns or is restored to service in an office or position in the service of the commonwealth or any political subdivision thereof within two years after having served in the military or naval forces of the United States shall be entitled to all seniority rights to which he would have been entitled if his

service had not been interrupted by such military or naval service, and any such person whose salary is fixed under a classified compensation plan shall be eligible to a salary rate which includes accrued step-rate increments to which he would have been eligible except for absence on such military or naval service.

Approved February 25, 1946.

Chap. 63 AN ACT RELATIVE TO CERTAIN LIMITATIONS ON THE INVESTMENTS OF TRUST COMPANIES IN THEIR COMMERCIAL DEPARTMENTS.

Be it enacted, etc., as follows:

Chapter three hundred and seven of the acts of nineteen hundred and forty-three is hereby amended by striking out, in the fifth and sixth lines, the word "forty-five" and inserting in place thereof the word: — forty-eight, — so as to read as follows: — The limitations upon the liability of one borrower to a corporation subject to chapter one hundred and seventy-two of the General Laws prescribed by section forty or section forty A of said chapter shall not apply to any loan or loans made prior to July first, nineteen hundred and forty-eight, to the extent that they are secured or covered by guaranties, or by commitments or agreements to take over or to purchase the same, made by the United States, the war department, the navy department, or the maritime commission thereof, or by any federal reserve bank or the Reconstruction Finance Corporation; provided, that such guaranties, agreements or commitments are subject to no condition beyond the control of the corporation making the loan, and must be performed by payment of cash or its equivalent within sixty days after demand; and provided, further, that for the performance of such guaranties, commitments or agreements the faith of the United States or of such federal reserve bank or of said Reconstruction Finance Corporation is pledged.

Approved February 25, 1946.

Chap. 64 AN ACT REQUIRING DIRECTORS OF CO-OPERATIVE BANKS TO BE RESIDENTS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 170, § 7, etc., amended.

Management, officers, election, etc.

Section seven of chapter one hundred and seventy of the General Laws, as most recently amended by section one of chapter one hundred and sixty-two of the acts of nineteen hundred and thirty-eight, is hereby further amended by inserting after the word "directors" in the second and third lines the words: — , all of whom shall be residents of the commonwealth, — so that the first sentence will read as follows: — The business and affairs of every such corporation shall be managed by a board of not less than five directors, all of whom shall be residents of the commonwealth, to be elected by the shareholders.

Approved February 25, 1946.

AN ACT PROVIDING FOR ADDITIONAL ACCOMMODATIONS FOR THE REGISTRY OF DEEDS IN CAMBRIDGE. *Chap. 65*

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized to raise and expend a sum not exceeding thirty-eight thousand dollars for the purpose of providing adequate accommodations for the registry of deeds at the registry of deeds and probate building at Cambridge in said county, and for such purposes said county commissioners may make additions to the registry of deeds wing of said building and may alter or remodel said registry of deeds wing and do all things incidental thereto.

SECTION 2. This act shall take full effect upon its acceptance during the current year by the county commissioners of the county of Middlesex.

Approved February 25, 1946.

AN ACT RELATIVE TO THE POWERS OF THE COMMISSIONER OF BANKS IN THE EXAMINATION OF TRUST COMPANIES AND THEIR AFFILIATES. *Chap. 66*

Be it enacted, etc., as follows:

Section twenty-seven of chapter one hundred and seventy-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the three following sentences: — In making an examination of any such corporation, whenever in the opinion of the commissioner it is necessary, he shall have access to the vaults, books and papers of each of its affiliates and may make such examination of the affairs of its affiliates as may be necessary to disclose fully the relations between such corporation and such affiliates and the effect of such relations upon the affairs of such corporation. The expense of the examination of the affairs of any affiliate of such a corporation, determined as provided in section two of chapter one hundred and sixty-seven, shall be paid by the affiliate examined. For the purpose of this section, the term "affiliate" shall include holding company affiliates as well as other affiliates, — so as to read as follows: — *Section 27.* The commissioner shall have access to the vaults, books and papers of such corporation, and shall inspect, examine and inquire into its affairs and take proceedings in regard to it in the same manner and to the same extent as if it were a savings bank; and may make, or cause to be made by an expert at the expense of the corporation, such further examination of a corporation exercising the powers conferred by section fifty-two as he may consider necessary, and shall, when ordered by any court of competent jurisdiction, make an examination or cause it to be made. In making an examination of any such corporation, whenever in the opinion of the commissioner it is necessary, he shall have access to the vaults, books and papers of each of its affiliates and may make such

G. L. (Ter. Ed.), 172, § 27, amended.

Examination by commissioner.

examination of the affairs of its affiliates as may be necessary to disclose fully the relations between such corporation and such affiliates and the effect of such relations upon the affairs of such corporation. The expense of the examination of the affairs of any affiliate of such a corporation, determined as provided in section two of chapter one hundred and sixty-seven, shall be paid by the affiliate examined. For the purpose of this section, the term "affiliate" shall include holding company affiliates as well as other affiliates.

Approved February 25, 1946.

Chap. 67 AN ACT RELATIVE TO THE DISCLOSURE OF INFORMATION PERTAINING TO THE RECORDS OF APPLICANTS FOR AND RECIPIENTS OF PUBLIC ASSISTANCE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 66, § 17A, etc., amended.

Records to public for certain purposes.

Chapter sixty-six of the General Laws is hereby amended by striking out section seventeen A, as most recently amended by section one of chapter two hundred and forty of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 17A.* The records of the department of public welfare and of the several city and town welfare departments and bureaus of old age assistance relative to all public assistance, and the records of the department of education relative to aid to the blind, shall be public records; provided, that they shall be open to inspection only by public officials of the commonwealth, which term shall include members of the general court, and representatives of the federal government, for purposes directly connected with the administration of such public assistance or with the prosecution of war; and provided, further, that information relative to the record of an applicant for public assistance or a recipient thereof may be disclosed to him or his duly authorized agent, and may be disclosed by the commissioner of public welfare or the director of the division of the blind, as the case may be, to any incorporated Jewish philanthropy, incorporated Catholic charity or other incorporated social agency, including non-governmental children's agencies or non-governmental incorporated medical institutions, and to any social service index, so called, as in the discretion of said commissioner or director may be deemed proper, subject however to such conditions as he may, from time to time, prescribe and only for such purposes as in his opinion may be necessary and proper in the administration of such public assistance. *Approved February 25, 1946.*

Chap. 68 AN ACT PERTAINING TO THE INVESTMENT OF DEPOSITS OF SAVINGS BANKS AND THE INCOME DERIVED THEREFROM IN CERTAIN PERSONAL LOANS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 168, § 54, clause Ninth, etc., amended.

Subdivision (a) of clause Ninth of section fifty-four of chapter one hundred and sixty-eight of the General Laws, as most recently amended by section two of chapter one

hundred and ninety-seven of the acts of nineteen hundred and forty-five, is hereby further amended by adding after the word "dollars" in the fourteenth line the following: — , exclusive of interest or discount from the date of the note, — so as to read as follows: —

(a) A note of one or more responsible borrowers in such form and at such rate of interest or other charge as the board of investment shall by rules or regulations determine, with the approval of the commissioner, payable or to be paid in instalments at intervals of not exceeding one month and all within a period of not exceeding eighteen months from the date of the note. Such notes may provide for the payment of the first instalment on a date not more than three months from the date of the note or of some one subsequent instalment on a date not more than three months from the date of the last prior instalment, and may, in the discretion of such corporation, be secured or unsecured. The total obligation of any one person to any such corporation in this class of investment shall not exceed one thousand dollars, exclusive of interest or discount from the date of the note; and the aggregate of such loans made by any such corporation shall not exceed five per cent of its deposits. The provisions of sections eighty-six to one hundred and ten, inclusive, of chapter one hundred and forty shall not apply to loans made under this subdivision.

Notes of one
or more
borrowers.

Approved February 25, 1946.

AN ACT COMBINING THE OFFICES OF TREE WARDEN AND MOTH SUPERINTENDENT IN THE TOWN OF MANCHESTER. *Chap. 69*

Be it enacted, etc., as follows:

SECTION 1. The offices of tree warden and moth superintendent in the town of Manchester are hereby combined and the powers and duties pertaining to said offices shall, after the acceptance of this act, be exercised and performed by the tree warden. All laws from time to time in force relating to the tree warden and moth superintendent and not inconsistent with the provisions of this act shall apply to the office of tree warden in said town.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of Manchester voting thereon at a regular or special town meeting called for the purpose, but not otherwise.

Approved February 25, 1946.

AN ACT PROVIDING FOR ADDITIONAL ACCOMMODATIONS FOR THE REGISTRY OF PROBATE IN CAMBRIDGE. *Chap. 70*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate accommodations for the registry of probate at the registry of deeds and probate building at Cambridge in the county of

Middlesex, the county commissioners of said county may make additions to the registry of probate wing of said building, and furnish and equip said additions, and do all things incidental thereto.

SECTION 2. The county commissioners are hereby authorized to sell bonds issued by the federal government which were purchased by the county under authority of chapter five of the acts of nineteen hundred and forty-three and earmarked for purposes authorized by said act, to the amount of one hundred and fifteen thousand dollars, and apply the proceeds thereof to the purposes of this act.

SECTION 3. For the purposes of this act, the county treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, one hundred and eighty-five thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Middlesex County Registry of Deeds and Probate Building Improvement Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 4. This act shall take full effect upon its acceptance during the current year by the county commissioners of the county of Middlesex. *Approved February 25, 1946.*

Chap. 71 AN ACT PROVIDING THAT CITIES AND TOWNS MAY APPROPRIATE MONEY TO FURNISH MEDALS, SCROLLS OR CERTIFICATES TO PERSONS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES DURING WORLD WAR II OR TO THEIR NEXT OF KIN.

Whereas, The deferred operation of this act would unnecessarily delay cities and towns in honoring persons who served in the armed forces of the United States in World War II, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Cities and towns may appropriate money for the purpose of purchasing and presenting gifts of medals, scrolls or certificates of honorable service, to members of the armed forces of the United States who served in World War II, or, if deceased, to their next of kin.

Approved February 26, 1946.

AN ACT REQUIRING THE CITY OF LAWRENCE TO REPAY TO CERTAIN PERMANENT MEMBERS OF ITS FIRE DEPARTMENT THE CONTRIBUTIONS MADE BY THEM TO THE CONTRIBUTORY RETIREMENT SYSTEM OF SAID CITY, AND ESTABLISHING THE RETIREMENT RIGHTS OF SUCH MEMBERS. Chap. 72

Be it enacted, etc., as follows:

SECTION 1. The retirement board of the city of Lawrence is hereby authorized and directed to repay to Timothy J. Donovan, Joseph E. Blanchette, Morris O. Miller, Joseph A. Mulcahy, William A. Fredette, John F. Lyons, Charles E. McCarthy, Robert Pooles and John K. McCaffrey, all permanent firemen of the city of Lawrence, all deductions withheld from their wages as such firemen on account of the membership of each of the aforesaid firemen in the contributory retirement system, so called, established by virtue of sections twenty-six to thirty-one H, inclusive, of chapter thirty-two of the General Laws, and the names of said firemen shall be stricken from the rolls of the retirement board of the city of Lawrence as members of the contributory retirement system, so called. Each of the aforesaid firemen shall be entitled to the benefits of pension or retirement allowances provided for firemen under sections eighty to eighty-three, inclusive, and section eighty-nine, of said chapter thirty-two of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1946.

AN ACT CHANGING THE NAME OF THE NORTH CHELMSFORD FIRE DISTRICT AND AUTHORIZING SAID DISTRICT TO FURNISH AND SELL WATER TO CERTAIN INHABITANTS OF THE TOWN OF TYNGSBOROUGH AND FURNISH HYDRANT SERVICE TO SAID TOWN. Chap. 73

Be it enacted, etc., as follows:

SECTION 1. The name of the North Chelmsford Fire District, as established under chapter one hundred and nineteen of the acts of nineteen hundred and six and as enlarged from time to time, is hereby changed to the North Chelmsford Water District.

SECTION 2. Said district may furnish and sell water to the inhabitants of the town of Tyngsborough residing on land abutting upon Mission road and Dunstable road and, upon request of said town, shall establish and maintain hydrants and relocate and discontinue the same along Mission road or Dunstable road in said town. The rates for furnishing and selling such water and for rental for such hydrants shall be such rates as may be mutually agreed upon by the selectmen of said town and the board of water commissioners of said district, or, in case of failure to agree, as may be fixed by the state department of public utilities. The said district may, at its own expense, make such extensions of its

water mains and such installations of other facilities and equipment within the limits of said town as may be necessary for the purposes of said chapter one hundred and nineteen and of this act; provided, that such extensions and installations as are made by said district within the limits of said town shall be subject in all respects to the approval of the selectmen of said town.

SECTION 3. This act shall take effect upon its passage.

Approved February 26, 1946.

Chap. 74 AN ACT MAKING AN APPROPRIATION FOR FURNISHING CERTAIN FACILITIES FOR HOUSING UNITS FOR WAR VETERANS ENROLLED AT THE MASSACHUSETTS STATE COLLEGE.

Be it enacted, etc., as follows:

SECTION 1. The sum herein set forth, for the purposes herein specified, is hereby appropriated from the general fund or revenue of the commonwealth, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

Item

1341-87	For providing such water, sewerage, drainage, street and other facilities as may be necessary for the proper maintenance at the Massachusetts State College of housing units transferred thereto by the Federal Housing Administrator for the housing of war veterans enrolled at said college, and, after said facilities have been provided, for the purchase of furnishings for said housing units to the extent of any balance then remaining	\$60,000 00
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SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1946.

Chap. 75 AN ACT AUTHORIZING THE TOWN OF SOUTH HADLEY TO PERMIT THE USE OF THE BEACH PLAYGROUND LOCATED THEREIN FOR ATHLETIC FIELD PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of South Hadley is hereby authorized to permit the use, in whole or in part, of the beach playground located therein for athletic games and other entertainments of a public nature, to which an admission fee may be charged.

SECTION 2. This act shall take full effect upon its acceptance by the town of South Hadley at an annual or special town meeting called for the purpose, but not otherwise.

Approved February 26, 1946.

AN ACT RELATIVE TO INVESTMENTS BY CREDIT UNIONS IN REAL ESTATE FOR USE AS THEIR PLACE OF BUSINESS. *Chap. 76*

Be it enacted, etc., as follows:

Section twenty-one of chapter one hundred and seventy-one of the General Laws, as most recently amended by chapter one hundred and eighteen of the acts of nineteen hundred and forty-three, is hereby amended by adding at the end the following sentence: — Subject to such approval and to the approval of the commissioner, a credit union may invest a sum not exceeding its guaranty fund and other surplus accounts in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business.

G. L. (Ter. Ed.), 171, § 21, etc., amended.

Investment of funds limited.

Approved February 26, 1946.

AN ACT AUTHORIZING THE COMMISSIONER OF CONSERVATION TO LEASE LAND IN THE OCTOBER MOUNTAIN STATE FOREST IN THE TOWN OF LEE TO THE BERKSHIRE COUNCIL OF THE BOY SCOUTS OF AMERICA. *Chap. 77*

Be it enacted, etc., as follows:

The commissioner of conservation is hereby authorized and directed to lease to the Berkshire Council of the Boy Scouts of America sufficient land in the October Mountain State Forest in the town of Lee for a scout camp. Said lease shall contain such terms and conditions as will comply with all laws in relation to the protection of fish, birds and quadrupeds and the preservation and development of said forest. Notwithstanding said lease the control and supervision of the land so leased shall remain under said commissioner, and all provisions of law relating to state forests not inconsistent with this act shall remain in full force and effect. Upon failure of said council for the period of two years to make use of said property for the purposes of said lease said commissioner may immediately cancel said lease upon written notification to said council. Upon termination of said lease any buildings or other structures on the leased property shall become the property of the commonwealth. Nothing in this act shall be construed to prevent the use of said forest by the public to the same extent as if this act had not been passed.

Approved February 26, 1946.

AN ACT RELATIVE TO THE CONTENTS OF OFFICIAL BALLOTS FOR THE ELECTION OF OFFICERS IN TOWNS. *Chap. 78*

Be it enacted, etc., as follows:

The third paragraph of section forty-one of chapter fifty-four of the General Laws, as most recently amended by section two of chapter four hundred and thirty-six of the acts of nineteen hundred and thirty-eight, is hereby further amended by inserting after the word "added" in the tenth

G. L. (Ter. Ed.), 54, § 41, etc., amended.

line, as appearing in chapter one hundred and ninety of the acts of nineteen hundred and thirty-eight, the words: — the name of the street on which he resides, with his street number, if any, and, — so as to read as follows: —

Use of words
"Candidate
for Re-election", etc.,
authorized.

To the name of each candidate for a state or city office, except city offices in cities where political designations are forbidden, shall be added in the same space his party or political designation or designations. To the name of a candidate for a state or city office who is an elected incumbent thereof and who is one of two or more candidates therefor bearing the same or a similar surname, there shall be added in the same space the words "Candidate for Re-election". To the name of each candidate for a town office upon an official ballot shall be added the name of the street on which he resides, with his street number, if any, and the designation of the party or principle which he represents, contained in the certificate of nomination or nomination papers. To the name of each candidate for a town office upon an official ballot who is an elected incumbent thereof shall be added the words "Candidate for Re-election". The town clerk shall add the words "Caucus Nominee" to the name of any candidate nominated for a town office by a caucus held under the provisions of sections one hundred and seventeen to one hundred and twenty, inclusive, of chapter fifty-three.

Approved February 26, 1946.

Chap. 79 AN ACT PENALIZING THE USE OF BAIT OTHER THAN NATURAL BAIT IN ICE FISHING ELSEWHERE THAN IN THE CONNECTICUT RIVER.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 131, new
§ 40A, added.

Chapter one hundred and thirty-one of the General Laws, as inserted by section two of chapter five hundred and ninety-nine of the acts of nineteen hundred and forty-one, is hereby amended by inserting after section forty the following section: — *Section 40A.* Whoever uses bait of any kind, nature or description, other than natural, in ice fishing, except in the Connecticut river, shall be punished by a fine of not less than twenty nor more than fifty dollars.

Use of bait in
ice fishing.
Penalty.

Approved February 26, 1946.

Chap. 80 AN ACT ABOLISHING THE BOARD OF POLICE FOR THE CITY OF FALL RIVER, AND ESTABLISHING THE BOARD OF POLICE OF THE CITY OF FALL RIVER AND THE LICENSING BOARD OF THE CITY OF FALL RIVER AND DEFINING THEIR POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and fifty-one of the acts of eighteen hundred and ninety-four, entitled "An Act to establish a Board of Police for the City of Fall River", and all acts in amendment thereof and in addition thereto are hereby repealed.

SECTION 2. Control and operation of the police department of the city of Fall River is hereby returned to said city. Said department shall be administered by a board of three members, citizens of said city, to be known as the board of police of the city of Fall River, to be appointed by the mayor in accordance with the provisions of the charter of said city including the pertinent provisions of sections forty-six to fifty-five, inclusive, of chapter forty-three of the General Laws, notwithstanding any provision to the contrary in any general or special law. All rules and regulations for the government of the police department of said city in force on the effective date of this act shall continue in force until otherwise ordered by said board of police.

SECTION 3. All rights, powers, duties and obligations exercised prior to said effective date by the board referred to in section one, relative to the issuance of licenses, are hereby vested in a board of three members, citizens of said city, to be known as the licensing board of the city of Fall River, to be appointed by the mayor in accordance with the provisions of said charter including the pertinent provisions of said sections forty-six to fifty-five, inclusive, of said chapter forty-three of the General Laws, notwithstanding any provision to the contrary in any general or special law. All rules and regulations governing the issuance of licenses in force on said effective date shall continue in effect until otherwise ordered by said licensing board, and all licenses in force on said effective date shall continue in force until their terminal dates unless sooner revoked by said board for cause.

SECTION 4. This act shall take effect on March eleventh in the current year, but shall not affect any rights accrued, any penalties or forfeitures incurred, or any suit or action pending, upon its effective date; and all persons holding office or employment upon said effective date under said chapter three hundred and fifty-one of the acts of eighteen hundred and ninety-four, and acts in addition thereto and in amendment thereof, shall continue to hold office or employment and exercise the powers thereof, until their successors, appointed under authority of this act, are qualified.

Approved February 26, 1946.

AN ACT AUTHORIZING THE TOWN OF HINGHAM TO PAY AN ANNUITY TO THE WIDOW OF WILLIAM A. LANE, A FORMER MEMBER OF THE FIRE DEPARTMENT OF SAID TOWN. Chap. 81

Be it enacted, etc., as follows:

SECTION 1. For all purposes of section eighty-nine of chapter thirty-two of the General Laws, as amended, the late William A. Lane, a member of the fire force of the town of Hingham on the date of his death, March nineteenth, nineteen hundred and forty-five, shall be deemed to have been at the time of his death a call fireman on that force, engaged in the performance of a duty to which he was called

as such and for which he was entitled to compensation from the town; provided, that payments on account of any annuity payable under authority of this act shall not be made for any period prior to January first, nineteen hundred and forty-six.

SECTION 2. This act shall take full effect upon its acceptance by the town of Hingham at any town meeting called for the purpose, but not otherwise.

Approved February 27, 1946.

Chap. 82 AN ACT AUTHORIZING THE TOWN OF HINGHAM TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERS FOR THE NORTH SEWER DISTRICT OF THE TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Hingham may lay out, construct, maintain and operate a system or systems of main drains and common sewers for the north sewer district of the town as defined in section two of chapter five hundred and ninety-one of the acts of nineteen hundred and forty-five, with such connections, pumping stations and other works as may be required for a system of sewage disposal, and may construct such sewers or drains over and under land or tide water in the town as may be necessary to conduct the sewage of said district to the south metropolitan sewerage system, and, for the purpose of providing better surface or other drainage, may make, lay and maintain such drains as it deems best. And for the purposes aforesaid, the town may, within the limits of said district, make and maintain sub-drains, and, with the approval of the department of public health, discharge the water from such sub-drains into any brook, stream or water course within the town.

SECTION 2. Said town upon acquiring the necessary easements or other rights, under section six or otherwise, may make and maintain main drains or common sewers and sub-drains in any private way in said district for the purpose of serving abutting estates or for other purposes of the sewer system; provided, that as to any private way in which such construction and maintenance would, except for this act, be barred by the provisions of section seventy-seven of chapter forty-one of the General Laws or other general law, the town shall have voted prior to the beginning of construction therein that the sewer system shall be extended to such private way.

SECTION 3. Said town may make and maintain in any way in said district where main drains or common sewers are constructed, such connecting drains, under-drains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 4. Said town may, at the meeting at which this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote, the

town shall elect by ballot at any town meeting not later than the second annual meeting after the commencement of the work of construction authorized hereby a board of three sewer commissioners, who shall be registered voters of the town, to hold office, if elected at an annual town meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or if elected at a special town meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from the next succeeding annual town meeting, and until their successors are qualified; and thereafter, at each annual town meeting, the town shall elect one member of the board to serve for three years and until his successor is qualified. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners or elects a board of sewer commissioners, the town may, at any time thereafter, by any and all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 5. Until the board of sewer commissioners has first been elected, as provided in this act, or the selectmen have first been authorized by vote to act as such board, as the case may be, but not, in any event later than the second annual town meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a committee of the town authorized so to act at any town meeting. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "board of sewer commissioners" hereinafter occurs it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. The board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in the town, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and sewers, sub-drains and under-drains under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public land, including park land, or railroad location, for the purpose of laying such drains and sewers or installing such pumping stations or other works and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and

that they shall not enter upon or construct any drain or sewer, or instal any pumping station or other works, within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities. No taking shall be necessary for the use of any park land, bathing beach or playground for any of the purposes of this act to any extent approved by the board in charge of or holding title to such land, including the trustees under chapter seventy-five of the acts of nineteen hundred and thirty-four, or by the town at any town meeting.

SECTION 7. Any person injured in his property by any action of the board of sewer commissioners under this act may recover damages from the town under said chapter seventy-nine.

SECTION 8. Said town shall, by vote, determine what proportion of the cost of the system or systems of sewerage and sewage disposal the town shall pay; provided, that it shall pay not less than one fourth nor more than two thirds of the whole cost. In providing for the payment of the remaining portion of the cost of the system or systems or for the use of the system or systems, the town may avail itself of any or all of the methods permitted by general laws, and the provisions of the general laws relative to the assessment, apportionment, division, re-assessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon, shall apply to assessments made under this act. At the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by vote determine by which of such methods the remaining portion of the cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments or apportionments thereof to the board of sewer commissioners who shall preserve a record thereof.

SECTION 9. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town of Hingham may borrow such sums as may be necessary, not exceeding, in the aggregate, eight hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Hingham Sewerage Loan, Act of 1946. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 10. The receipts from sewer assessments and from payments made in lieu thereof shall be appropriated for and applied to the payment of charges and expenses incident to the maintenance and operation of the system of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for

sewer purposes or to the payment or redemption of such bonds or notes.

SECTION 11. The board of sewer commissioners may annually appoint a clerk and may appoint a superintendent of sewers who shall not be a member of the board. It may remove the clerk or superintendent at its pleasure and shall define their duties. The board may, at its discretion, prescribe for the users of the sewer system or systems such annual rentals or charges based upon the benefits derived therefrom as it may deem proper, subject, however, to such rules and regulations as shall be adopted by vote of the town.

SECTION 12. All contracts made by the board of sewer commissioners shall be made in the name of the town and shall be signed by the board, but no contracts shall be made or obligation incurred by the board for any purpose in excess of the amount of money appropriated by the town therefor.

SECTION 13. The board of sewer commissioners may, from time to time, prescribe rules and regulations for the connection of estates and buildings with main drains and sewers, and for the inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Hingham, if there be any, and if not, then in some newspaper published in the county of Plymouth, and shall not take effect until such publications have been made.

SECTION 14. The town of Hingham, through the board of sewer commissioners, may, upon the application of the owner of any estate abutting on any public or private way where a main drain or common sewer is constructed, lay in such sewered way and in the private land of such owner such particular sewer or connecting drain as may be necessary to connect any building on such estate with such main drain or sewer, and said board may make all necessary contracts in the name and behalf of the town for such purpose. The expenses thereof shall be paid out of any appropriation that may be made by the town therefor. The cost of constructing each particular sewer or connecting drain shall be assessed by the board of sewer commissioners upon the estate benefited thereby. Such assessment shall be made by filing with the board of assessors of the town a certificate, designating the way and the private land in which such particular sewer or connecting drain has been constructed, and giving the name or names of the owners of the estate for which such connection has been made and the amount of the assessment to be paid by such owner or owners. A copy or duplicate of this certificate shall, within ten days after the filing of the same with the board of assessors, be recorded in

the registry of deeds for the county of Plymouth, or, in the case of registered land, filed in the office of the assistant recorder for Plymouth county registry district. The board of assessors shall, upon receipt of such certificate, forthwith commit such assessments or charges with their warrant to the collector of taxes, who shall forthwith make a demand in writing for the payment of such assessments or charges, and every owner shall, within three months after such demand is served upon him or on the occupant of such estate, or sent by mail to the last address of the owner known to the collector of taxes, pay to the collector of taxes the sum so assessed or charged. Except as herein provided, the provisions of general law relative to the assessment, apportionment, division, re-assessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this section. In applying said provisions to assessments made under this section, the notice referred to therein shall be deemed to be the demand of the tax collector required hereby. The lien for any assessment made under this section shall attach upon the recording or filing for registration of the copy or duplicate of the certificate of assessment. In the apportionment of assessments made under this section no instalment shall be less than five dollars.

SECTION 15. The provisions of this section shall be operative only if the town of Hingham at the meeting at which this act is accepted shall vote, separately, to accept said provisions. Each owner of a building upon land abutting a public or private way in the Hingham north sewer district in which there is a common sewer shall within a reasonable time, to be fixed by the board of sewer commissioners, after construction of such sewer in such way connect such building therewith, unless on application of the owner the board of health shall find that the non-connection of such building with the common sewer does not in reasonable likelihood endanger the public health.

SECTION 16. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plans of the system of sewerage and sewage disposal have been approved by the department of public health. Upon application to the department for its approval, it shall give a hearing, after due notice to the public. At such hearing, plans showing in detail all the work to be done in constructing the system of sewerage and sewage disposal shall be submitted for approval by the department.

SECTION 17. Subject to the provisions of section fifteen, this act shall take full effect upon its acceptance by vote of a majority of the voters of the town voting thereon at any annual or special town meeting called for the purpose at which the town shall vote to accept chapter five hundred and ninety-one of the acts of nineteen hundred and forty-five, or which is held within five years after such vote. No

expenditure shall be made and no liability incurred hereunder until such acceptance of this act.

Approved February 27, 1946.

AN ACT AUTHORIZING THE TOWN OF SOUTHBRIDGE TO PAY
A CERTAIN SUM OF MONEY TO JOSEPH BENOIT DOING BUSINESS AS BENOIT BROTHERS. Chap. 83

Be it enacted, etc., as follows:

SECTION 1. The town of Southbridge is hereby authorized to appropriate a sum of money not exceeding eight hundred and sixty-nine dollars and fifty-three cents and to expend said sum in payment and discharge of a certain claim of Joseph Benoit, doing business as Benoit Brothers, in full settlement of his claim against said town for reimbursement on account of money expended by him in the construction of one hundred and forty feet of sewer line on Columbia street, a public way in said town; said claim being legally unenforceable against said town by reason of its failure to comply with the provision of its by-laws requiring advertising prior to the awarding of a contract involving the expenditure of five hundred dollars or more.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1946.

AN ACT AUTHORIZING THE TOWN OF SOUTHBRIDGE TO PAY
A CERTAIN SUM OF MONEY TO A. V. TAURASI CO., INC. Chap. 84

Be it enacted, etc., as follows:

SECTION 1. The town of Southbridge is hereby authorized to appropriate the sum of five thousand two hundred and eighty-seven dollars and forty-five cents and to pay the same to A. V. Taurasi Co., Inc., in connection with the construction of sewers in Meadowbrook road, Laurel Hill road and Lebanon street, private ways in said town which have since been accepted as public ways, and through "Cole Forest", so called; provided, that no payment shall be made hereunder unless and until said A. V. Taurasi Co., Inc., shall have released to said town, by proper instrument or instruments, all its right, title and interest in and to said sewers.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1946.

AN ACT AUTHORIZING THE TOWN OF SOUTHBRIDGE TO PAY
A CERTAIN SUM OF MONEY TO FRANK J. SHIELDS, INCORPORATED. Chap. 85

Be it enacted, etc., as follows:

SECTION 1. The town of Southbridge is hereby authorized to appropriate the sum of four hundred and fifty dollars and to pay the same to Frank J. Shields, Incorporated,

in full settlement of its claim against said town for reimbursement on account of money expended by said corporation in connection with the surfacing of Fisk street, a public way in said town.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1946.

Chap. 86 AN ACT AUTHORIZING THE TOWN OF ASHLAND TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERS.

Be it enacted, etc., as follows:

SECTION 1. The town of Ashland may lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system of sewage disposal, and may construct such sewers, drains, pumping stations and force mains in said town as may be necessary, and, for the purpose of providing better surface or other drainage, may make, lay and maintain such drains as it deems best. And for the purposes aforesaid, the town may, within its limits, make and maintain sub-drains. The town of Ashland may enter into an agreement with the town of Framingham for the joint use of the sewerage facilities of the town of Framingham to receive and treat the sewage of the town of Ashland, and shall pay such proportion of the cost of construction of additional works required and such annual charges for the transportation and treatment of sewage as shall be mutually agreed upon by the two towns. If said towns shall be unable to agree as to the proper and just sum which shall be paid by the town of Ashland to the town of Framingham, either such town may apply to the department of public utilities for a determination of the matter in controversy.

SECTION 2. The town of Ashland may make and maintain in any way therein where main drains or common sewers are constructed, such connecting drains, underdrains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. Said town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot at any town meeting not later than the second annual meeting after the commencement of construction hereunder of a system of sewerage and sewage disposal, a board of three sewer commissioners who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one

until the expiration of three years, from the next succeeding annual town meeting, and until their successors are qualified; and thereafter at each annual town meeting when the term of a member expires, the town shall elect one member of the board to serve for three years and until his successor is qualified. Any selectman shall be eligible to election to said board. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such drains and sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 5. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay; provided, that it

shall pay not less than one fourth nor more than one half of the whole cost. In providing for the payment of the remaining portion of the cost of said system or systems, or for the use of said system or systems, the town may avail itself of any or all of the methods permitted by general laws, and the provisions of said general laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this act, except that interest shall be at the rate of four per cent per annum. At the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may borrow such sums as may be necessary, not exceeding, in the aggregate, four hundred and forty-five thousand dollars; and may issue bonds or notes therefor, which shall bear on their face the words, Ashland Sewerage Loan, Act of 1946. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 9. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

SECTION 10. Said board of sewer commissioners may annually appoint a clerk and may appoint a superintendent of sewers who shall not be a member of the board, and shall define their duties. It may remove the clerk or superintendent at its pleasure. Said board shall prescribe for the users of said sewer systems annual rentals or charges based upon the amount of water consumed on the premises assessed, except that said board in determining annual rentals or charges shall make due allowance for water used for crop production or such other purposes as do not result in the entry of water so used into the sewerage system, but subject, however, to such rules and regulations as may be fixed by vote of the town.

SECTION 11. All contracts made by the board of sewer commissioners shall be made in the name of the town and shall be signed by the board, but no contract shall be made

or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the town therefor.

SECTION 12. Said board may, from time to time, prescribe rules and regulations for the connection of estates and buildings with main drains and sewers, and for inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Ashland, if there be any, and if not, then in some newspaper published in the county of Middlesex, and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plans for said system of sewerage and sewage disposal have been approved by the state department of public health. Upon application to said department for its approval, it shall give a hearing, after due notice to the public. At such hearing, plans showing in detail all the work to be done in constructing said system of sewerage and sewage disposal shall be submitted for approval by said department.

SECTION 14. This act shall take full effect upon its acceptance by vote of the majority of the voters of said town voting thereon at an annual town meeting held within five years after its passage. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved February 27, 1946.

AN ACT RELATIVE TO THE MERGER AND CONSOLIDATION OF TRUST COMPANIES AND OTHER COMMERCIAL BANKS, THE ESTABLISHMENT OF BRANCH OFFICES THEREOF AND THE CONTINUED OPERATION OF THE OFFICES OF CONSOLIDATED BANKS. Chap. 87

Be it enacted, etc., as follows:

SECTION 1. Section forty-four of chapter one hundred and seventy-two of the General Laws, as most recently amended by chapter one hundred and eighty-seven of the acts of nineteen hundred and thirty-nine, is hereby further amended by inserting after the word "another" in the second line the words: — bank or, — so as to read as follows: — Section 44. No trust company shall be merged in or consolidated with another bank or trust company, or sell or exchange all or substantially all of its property and assets, except with the written approval of the commissioner and subject to the provisions of sections forty-two and forty-six of chapter one hundred and fifty-six; and no trust company shall purchase all or substantially all of the property and assets of any bank or trust company, except with the written approval of the commissioner. The charter of a trust com-

G. L. (Ter. Ed.), 172, § 44, etc., amended.

Consolidation of trust companies regulated.

pany the business of which shall, on or after July first, nineteen hundred and twenty-two, have been consolidated or merged with, or absorbed by, another bank or trust company, or the affairs of which shall, on or after said date, have been liquidated, shall be void except for the purpose of discharging existing obligations and liabilities.

G. L. (Ter. Ed.), 172, § 45, etc., amended.

Branch offices.

SECTION 2. Said chapter one hundred and seventy-two is hereby further amended by striking out section forty-five, as most recently amended by section three of chapter two hundred and forty-four of the acts of nineteen hundred and thirty-nine, and inserting in place thereof the following section:— *Section 45.* Any such corporation may, with the approval of the board of bank incorporation, establish and operate one or more branch offices in the town where its main office is located, or in any other town within the same county having no commercial banking facilities or having banking facilities which, in the opinion of said board, are inadequate for the public convenience. A branch office so authorized shall be established within six months of said board's approval thereof. The said board may, however, for cause, extend the time in which such branch office may be established, without further notice or publication unless the board shall order it. No such corporation shall maintain a branch office except as provided in this section and sections forty-six and forty-seven, but the restrictions in this section shall not extend to branch offices authorized prior to June first, nineteen hundred and thirty-four. The location of the main office of such a corporation may, with the approval of said board of bank incorporation, be changed by the corporation, when the public convenience so requires, to any place where a branch office may be lawfully established and operated by it, and thereafter, with like approval, the former main office of the corporation may be operated as a branch office.

G. L. (Ter. Ed.), 172, § 46, etc., amended.

Office of merged company.

SECTION 3. Said chapter one hundred and seventy-two is hereby further amended by striking out section forty-six, as most recently amended by section four of said chapter two hundred and forty-four, and inserting in place thereof the following section:— *Section 46.* Any office or offices of a bank or trust company the business of which has been taken over under section forty-four or forty-four A by such a trust company whose main office is located in the same county, or any office or offices of a national banking association the whole or a substantial part of the assets of which is purchased or otherwise acquired by a trust company so located, may, with the approval of the commissioner, be maintained as a branch office or offices of such corporation, under such conditions as he may approve.

SECTION 4. Chapter one hundred and ninety-two of the acts of nineteen hundred and forty-three is hereby repealed, but any branches of a trust company approved or established under said chapter may be established, maintained or operated by it notwithstanding any limitations of time contained in said chapter or in section forty-five of chapter one hundred

and seventy-two, as amended by this act, and as to all of such branch offices this section shall, to the greatest extent possible, be deemed and construed to be a continuation of the provisions of said chapter one hundred and ninety-two which are not inconsistent herewith, and not as a new enactment.

Approved February 27, 1946.

AN ACT POSTPONING THE TAKING EFFECT OF CERTAIN LAWS PROVIDING FOR BILLS OF EXCEPTIONS IN PROBATE PROCEEDINGS.

Chap. 88

Whereas, The principal purpose of this act is to postpone the taking effect of certain provisions of law contained in section one of chapter four hundred and sixty-nine of the acts of nineteen hundred and forty-five and the delayed taking effect of this act would prevent the achievement of such purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Emergency
preamble.*

Be it enacted, etc., as follows:

Section two of chapter four hundred and sixty-nine of the acts of nineteen hundred and forty-five is hereby amended by striking out, in the first line, the word "March" and inserting in place thereof the word: — August, — so as to read as follows: — *Section 2.* This act shall take effect on August first, nineteen hundred and forty-six.

Approved February 28, 1946.

AN ACT AUTHORIZING FEDERATED JEWISH CHARITIES OF BOSTON TO GRANT AND CONVEY ITS FUNDS AND OTHER PROPERTY TO ASSOCIATED JEWISH PHILANTHROPIES, INC. AND THEREUPON TO BE DISSOLVED.

Chap. 89

Be it enacted, etc., as follows:

SECTION 1. Federated Jewish Charities of Boston, a corporation incorporated under chapter one hundred and twenty-five of the Revised Laws, as amended, is hereby empowered to grant, assign, set over and convey all funds and property held by it to Associated Jewish Philanthropies, Inc., a corporation duly established under chapter one hundred and eighty of the General Laws, and said Associated Jewish Philanthropies, Inc., is hereby empowered to receive the same, and to hold, manage and dispose of all such funds and property under the same trusts, uses and purposes as if the same had continued to be held by said Federated Jewish Charities of Boston.

SECTION 2. The power hereby granted shall be exercised only in conformity with such a decree, if any, of the supreme judicial court, sitting in equity for the county of Suffolk, as may be entered within one year after the effective date of this act.

SECTION 3. This act shall not take full effect until it shall have been accepted by the votes of the board of directors, or the officers having the powers of directors, of each of said corporations and copies of the respective votes of acceptance shall have been filed with the state secretary.

SECTION 4. The corporate existence of said Federated Jewish Charities of Boston shall cease and determine upon the transfer of all of its assets as authorized by the preceding sections of this act.

SECTION 5. All gifts, grants, bequests or devises made or accruing to or for the benefit of said Federated Jewish Charities of Boston, after the transfer of its assets as hereinbefore provided, shall vest in said Associated Jewish Philanthropies, Inc., unless the terms of said gift, grant, bequest or devise for the carrying out of the provisions thereof shall otherwise specifically require.

Approved February 28, 1946.

Chap. 90 AN ACT RELATIVE TO THE CONSOLIDATION OF CREDIT UNIONS AND THE CONVERSION TO A CREDIT UNION CHARTERED BY THE COMMONWEALTH OF A CREDIT UNION CHARTERED ELSEWHERE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 171, new § 30, added.

Consolidation of credit unions.

Chapter one hundred and seventy-one of the General Laws is hereby amended by adding after section twenty-nine, as amended by chapter one hundred and thirty-nine of the acts of nineteen hundred and thirty-six, the following section: —

Section 30. Any two or more credit unions may consolidate into a single corporation on such terms as shall have been agreed upon by a vote of two thirds of the board of directors of each corporation and as shall have been approved in writing by the commissioner; provided, that such action is approved at a special meeting of the members of each corporation called for that purpose, by a vote of at least two thirds of those members present, qualified to vote and voting. Notice of such meeting, setting forth the terms of consolidation agreed upon, shall be sent by the clerk of each credit union to each member thereof by postpaid mail at least ten days before the date of the meeting, and, if the commissioner so orders, shall also be advertised in such manner as the commissioner may direct in one or more newspapers published in each town in which any of said credit unions does business or in another town in the same county. A certificate subscribed by the presidents and clerks of all such credit unions, setting forth that each of such credit unions has complied with all the requirements of this section, shall be submitted to the commissioner and, if the commissioner approves such consolidation, he shall endorse his approval upon said certificate, whereupon such consolidation shall become effective. A new name, or the name of any of the consolidating credit unions, may be adopted as the name of the continuing credit union at the meetings herein provided for and,

upon approval of the consolidation, it shall become the name of the continuing credit union without further action under the laws of the commonwealth respecting change or adoption of a new name on the part of the continuing credit union.

The commissioner shall determine the value of the shares, and deposits, if any, in each consolidating credit union, and the guaranty fund, reserve fund and undivided earnings, if any, of each of such credit unions shall be disposed of as he may direct.

Upon the consolidation of any two or more credit unions under the provisions of this section, the corporate existence of all but one of the consolidating credit unions shall be discontinued and consolidated into that of the remaining credit union, which shall continue; and the charter of each other credit union shall become void. All of the rights and privileges of each consolidating credit union, and its right, title and interest to all property of whatever kinds and things in action, and every right, privilege, interest or asset of conceivable value or benefit then existing which would inure to it except for such consolidation, shall be deemed fully, and without any right of reversion, to be transferred to or vested in the continuing credit union, without further act or deed, and the continuing credit union shall have and hold the same in its own right to every extent that the same was owned and held by the consolidating credit union from which it was transferred.

A consolidating credit union's rights, obligations and relations to any person, member, creditor, trustee or beneficiary of any trust, as of the effective date of the consolidation, shall remain unimpaired, and the continuing credit union shall, by the consolidation, succeed to all such relations, obligations and liabilities, as though it had itself assumed the relation or incurred the obligation or liability; and its liabilities and obligations to creditors existing for any cause whatsoever shall not be impaired by the consolidation; nor shall any obligation or liability of any member in any such credit union, continuing or consolidating, which is party to the consolidation, be affected by any such consolidation, but such obligations and liabilities shall continue as fully and to the same extent as the same existed before the consolidation.

A pending action or other judicial proceeding to which any of the consolidating credit unions is a party shall not be deemed to have abated or to have discontinued by reason of the consolidation, but may be prosecuted to final judgment, order or decree in the same manner as if the consolidation had not been made; or the continuing credit union may be substituted as a party to any such action or proceeding to which the consolidating credit union was a party, and any judgment, order or decree may be rendered for or against the continuing credit union that might have been rendered for or against such consolidating credit union if consolidation had not occurred.

Any credit union operating under a charter other than one issued by this commonwealth and having a usual place of business therein, may, if authorized by a vote of at least a majority of its members present and voting at a meeting specially called for that purpose, make application to the board of bank incorporation for consent for incorporation under this chapter. Said board may grant its consent to such incorporation when satisfied that the assets of such credit union qualify for investment by a credit union incorporated under this chapter. If any of the assets of the applicant credit union do not qualify as legal investments for a credit union incorporated under this chapter, such consent may nevertheless be given, subject to such terms with respect to the time in which the same shall be disposed of or converted into legal assets as the board may impose. Upon the issuing by the state secretary of the certificate of incorporation, all of the assets of the applicant credit union shall be transferred to and vested in the credit union so incorporated, to the same extent as would result from a merger of the applicant credit union and the new credit union under this section. The newly incorporated credit union shall thereupon issue its shares in the same amount and to the same persons, in satisfaction of the shares of the applicant credit union, and assume the deposit and other liabilities thereof. Thereupon the charter of the applicant credit union shall be surrendered to the issuing authority for cancellation by it, and the new credit union shall be operated under and governed by this chapter. *Approved February 28, 1946.*

Chap. 91 AN ACT FURTHER DEFINING THE TERM "SCHOOL BUS" AS USED IN THE MOTOR VEHICLE LAWS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 90, § 1,
etc., amended.

Section one of chapter ninety of the General Laws, as amended, is hereby further amended by striking out the paragraph defining "School bus", inserted by section one of chapter two hundred and seventy-one of the acts of nineteen hundred and thirty-two, and inserting in place thereof the following paragraph:—

Term "school
bus" defined.

"School bus", any motor vehicle owned or operated by any city or town and used on a full-time or part-time basis for the transportation of school children and any motor vehicle not so owned or operated which is used under written or oral contract with a city or town for the transportation of school children, while so used, but not including a motor vehicle used as hereinbefore provided for not more than three days in case of emergency or a motor vehicle used under such a contract having permanent seating accommodations for and carrying not more than seven persons or a motor vehicle operated by a holder of a certificate issued under section seven of chapter one hundred and fifty-nine A and a permit issued under section eight of said chapter.

Approved February 28, 1946.

AN ACT RELATIVE TO STANDARD WEIGHTS FOR CONTAINERS OF CERTAIN FLOURS, MEALS AND OTHER GRAIN PRODUCTS. *Chap. 92*

Be it enacted, etc., as follows:

Chapter ninety-four of the General Laws is hereby amended by striking out section one hundred and seventy-four A, inserted by section one of chapter ninety-two of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 174A.* No person shall pack for sale, sell, offer or expose for sale in this commonwealth, except in containers of net avoirdupois weights of five, ten, twenty-five, fifty and one hundred pounds, and multiples of one hundred pounds, any of the following commodities:— wheat flour, self-rising wheat flour, phosphated wheat flour, bromated flour, enriched flour, enriched self-rising flour, enriched bromated flour, corn flour, corn meals, hominy and hominy grits; provided, that this section shall not apply to (a) the retailing of flours, meals, hominy and hominy grits direct to the consumer from bulk stock, or (b) the sale of flours and meals to commercial bakers or blenders or for export in containers of more than one hundred pounds, or (c) flours, meals, hominy and hominy grits packed in containers the net contents of which are less than three pounds, or (d) the exchange of wheat for flour by mills grinding for toll. Whoever violates any provision of this section shall be punished by a fine of not less than twenty-five nor more than five hundred dollars.

G. L. (Ter. Ed.), 94, § 174A, etc., amended

Packaging units of certain commodities.

Penalty.

Approved February 28, 1946.

AN ACT RELATIVE TO THE SEALING OF CONTAINERS OF BALLOTS CAST AT ELECTIONS. *Chap. 93*

Be it enacted, etc., as follows:

Section one hundred and seven of chapter fifty-four of the General Laws, as amended by section twenty-two of chapter four hundred and eleven of the acts of nineteen hundred and forty-three, is hereby further amended by striking out, in the sixth, seventh and eighth lines, the words "the seal provided therefor, and also with the private seal of any election officer who may desire to affix the same; and a" and inserting in place thereof the following:— a seal of durable material, other than paper, provided therefor and also with the private seal of any election officer who may desire to affix the same. Seals for containers may be of material used in such manner as to effectively lock the container, or the container may be tied up lengthwise and crosswise with heavy twine securely tied and with the knot sealed with stationer's sealing wax. A,— so as to read as follows:— *Section 107.* The presiding officer at every polling place at elections of state and city officers and of town officers in towns where official ballots are used shall, after the record of the counting has been made, cause all ballots cast to be

G. L. (Ter. Ed.), 54, § 107, etc., amended.

Ballots, cast and not cast, and voting lists to be sealed up, etc.

publicly enclosed in an envelope or container and sealed up with a seal of durable material, other than paper, provided therefor and also with the private seal of any election officer who may desire to affix the same. Seals for containers may be of material used in such manner as to effectively lock the container, or the container may be tied up lengthwise and crosswise with heavy twine securely tied and with the knot sealed with stationer's sealing wax. A majority of the election officers of the voting precinct or town shall endorse upon such envelope or container the polling place, the election and the date, and also a certificate that all the ballots cast by the voters of such precinct or town, and none other, are contained therein. He shall cause all ballots not cast to be enclosed in an envelope or container and sealed up as aforesaid, and shall certify on the envelope or container the contents thereof. Such presiding officer shall cause the voting lists to be enclosed in an envelope and sealed up as aforesaid, and a majority of the election officers shall certify thereon to the identity of the voting lists enclosed. He shall forthwith personally deliver to the city or town clerk or transmit to him, by the police officer or constable in attendance at the election, all the ballots cast, and not cast, the voting lists, the ballot box, ballot box seals and counting apparatus.

Approved February 28, 1946.

Chap. 94 AN ACT POSTPONING THE TAKING EFFECT OF CERTAIN LAWS PROVIDING FOR BILLS OF EXCEPTIONS IN SUITS IN EQUITY.

Emergency
preamble.

Whereas, The principal purpose of this act is to postpone the taking effect of certain provisions of law contained in section one of chapter five hundred and thirty of the acts of nineteen hundred and forty-five and the delayed taking effect of this act would prevent the achievement of such purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section two of chapter five hundred and thirty of the acts of nineteen hundred and forty-five is hereby amended by striking out, in the first line, the word "March" and inserting in place thereof the word: — August, — so as to read as follows: — *Section 2.* This act shall take effect on August first, nineteen hundred and forty-six.

Approved February 28, 1946.

Chap. 95 AN ACT TO RELOCATE CERTAIN HARBOR LINES IN NEW BEDFORD HARBOR.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section one of chapter eighty of the acts of nineteen hundred and twenty-nine, as amended by section one of chapter one hundred and

twenty-seven of the acts of nineteen hundred and thirty-seven, is hereby amended by striking out, in the last twelve lines, the words "thence south fourteen degrees, three minutes, ten seconds east, true bearing, six thousand five hundred ninety-three feet to point V in latitude two thousand three hundred twelve and ninety-one one hundredths feet south and longitude two thousand seven hundred thirty-four and fifty-nine one hundredths feet west, said point V being located north forty-two degrees, fourteen minutes, thirty-one seconds east, true bearing, two hundred fifty-one and sixty-one one hundredths feet from Mark 17 on the easterly end of the Cove street storm sewer, point V being the southerly end of the harbor line hereby established on the easterly side of New Bedford harbor" and inserting in place thereof the following:— thence south fourteen degrees three minutes, ten seconds east, true bearing, three thousand three hundred sixty-one and seven one hundredths feet to point V₁ in latitude eight hundred twenty-two and thirty one hundredths feet north and longitude three thousand five hundred nineteen and thirty-five one hundredths feet west, thence north eighty-three degrees fourteen minutes six seconds east, true bearing, one thousand six hundred ninety-four and fifty-two one hundredths feet to Palmer's Island light in latitude one thousand twenty-one and ninety-one one hundredths feet north and longitude one thousand eight hundred thirty-six and sixty-three one hundredths feet west; thence south twenty-five degrees, twenty-three minutes, forty-seven seconds east, true bearing, four thousand five hundred and thirty feet to point W in latitude three thousand seventy and thirty-two one hundredths feet south and longitude one hundred six and nineteen one hundredths feet east, said point W being located north twenty-five degrees, twenty-three minutes, forty-seven seconds west, true bearing, four thousand eight hundred six and thirteen one hundredths feet from Butler's Flat light, in latitude seven thousand four hundred and twelve feet south, longitude two thousand one hundred and sixty-seven and forty-one one hundredths feet east, point W being the southerly end of the harbor line hereby established on the westerly side of New Bedford harbor.

SECTION 2. This act shall take effect upon its passage.

Approved March 1, 1946.

AN ACT AUTHORIZING THE COMMISSIONER OF LABOR AND INDUSTRIES TO SUSPEND UNTIL APRIL FIRST, NINETEEN HUNDRED AND FORTY-SEVEN, THE SIX O'CLOCK LAW, SO CALLED, RELATING TO THE HOURS OF EMPLOYMENT OF WOMEN IN THE TEXTILE INDUSTRY. Chap. 96

Whereas, Provisions of law similar to those set forth in this act are about to cease to be effective, but the circumstances and conditions which made advisable their enactment still continue, and it is urgent that said provisions be continued

Emergency
preamble.

in effect without interruption, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section one of chapter three hundred and forty-seven of the acts of nineteen hundred and thirty-three, as most recently amended by chapter fourteen of the acts of nineteen hundred and forty-five, is hereby further amended by striking out, in the fifth line, the word "forty-six" and inserting in place thereof the word: — forty-seven, — so as to read as follows: — *Section 1.* The commissioner of labor and industries is hereby authorized, in conformity with Article XX of Part the First of the Constitution of the Commonwealth, to suspend, until April first, nineteen hundred and forty-seven, subject to such restrictions and conditions as the said commissioner may prescribe, so much of section fifty-nine of chapter one hundred and forty-nine of the General Laws, as amended, as prohibits the employment of women in the manufacture of textile goods after six o'clock in the evening; and, during the time of such suspension, those parts of said section fifty-nine which are so suspended shall be inoperative and of no effect.

Approved March 1, 1946.

Chap. 97 AN ACT AUTHORIZING THE PARK COMMISSIONERS OF THE CITY OF SALEM TO CHARGE ADMISSION TO CERTAIN BUILDINGS.

Be it enacted, etc., as follows:

The park commissioners of the city of Salem may charge admission to the Witch House in Salem and any other buildings of historical interest under their control.

Approved March 1, 1946.

Chap. 98 AN ACT FURTHER EXTENDING THE EMERGENCY ALLOTMENT PLAN OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter five hundred and sixteen of the acts of nineteen hundred and forty-three, as amended by chapter one hundred and five of the acts of nineteen hundred and forty-five, is hereby further amended by striking out, in the fourth and fifth lines, and in the sixth line, the word "forty-five" and inserting in place thereof, in each instance, the word: — forty-six, — so as to read as follows: — *Section 2.* The mayor of said city may by executive order continue in full force and effect the provisions of section one for the fiscal year of the city of Boston beginning January first, nineteen hundred and forty-six and ending December thirty-first, nineteen hundred and forty-six; provided, that, if said mayor shall modify the amount of emergency compensation allotment paid during said last mentioned period to those officials and employees of the city of Boston or the county of Suffolk whose salaries are

not determined or limited by any provision of general or special law, then an equal amount shall be allowed and paid to every official or employee of the city of Boston or the county of Suffolk described in section one.

SECTION 2. This act shall take effect upon its passage.

Approved March 4, 1946.

AN ACT PROVIDING FOR THE FUNDING OF OVERLAY DEFICITS Chap. 99
BY THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton, for the purposes of meeting deficits in the overlay resulting from abatements granted to the Brockton Gas Light Company for the years nineteen hundred and forty-one, nineteen hundred and forty-two, nineteen hundred and forty-three, nineteen hundred and forty-four and nineteen hundred and forty-five, totaling one hundred and forty-eight thousand dollars, may borrow the sum of one hundred and twenty thousand dollars in the year nineteen hundred and forty-six, and issue bonds or notes of the city therefor, which shall bear on their face the words, Brockton Deficiency Loan, Act of 1946. Such loan shall be paid in not more than five years from its date. Indebtedness incurred under this act shall be inside the statutory limit of indebtedness, and shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved March 4, 1946.

AN ACT FURTHER PROVIDING FOR REMOVING OR PLACING Chap. 100
UNDERGROUND CERTAIN WIRES AND ELECTRICAL APPLIANCES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and one of the acts of nineteen hundred and thirty-one, as most recently amended by section one of chapter one hundred and ten of the acts of nineteen hundred and forty-one, is hereby further amended by striking out, in the fourth line, the word "forty-six" and inserting in place thereof the word: — fifty-two, — so as to read as follows: — *Section 1.* In the month of January in the year nineteen hundred and thirty-two, and in said month in each year thereafter, to and including the year nineteen hundred and fifty-two, the fire commissioner of the city of Boston shall prescribe and give public notice thereof in at least two daily newspapers in said city, by advertisement therein, twice a week for two weeks in succession, of not more than four miles of streets in said city in any one year, from which poles shall be removed and the wires buried underground, except such poles and wires as

are excepted in chapter three hundred and sixty-four of the acts of nineteen hundred and eleven.

SECTION 2. Said chapter one hundred and one is hereby further amended by striking out section two, as most recently amended by section two of said chapter one hundred and ten, and inserting in place thereof the following section: — *Section 2.* The powers conferred and the duties imposed upon the officer mentioned in said chapter three hundred and sixty-four, and other acts mentioned in said chapter, are hereby extended and said powers shall be exercised and said duties performed by said fire commissioner in each of the years nineteen hundred and thirty-two to nineteen hundred and fifty-two, inclusive.

SECTION 3. Chapter twenty-six of the acts of nineteen hundred and forty-three is hereby amended by striking out section one and inserting in place thereof the following section: — *Section 1.* The duty placed upon the fire commissioner of the city of Boston by section one of chapter one hundred and one of the acts of nineteen hundred and thirty-one, as amended, to prescribe in said city, in the month of January of each year, to and including the year nineteen hundred and fifty-two, not more than four miles of streets in said city in any one year, from which poles shall be removed and the wires buried underground, is hereby suspended. Said suspension shall be effective for the year nineteen hundred and forty-three, and for each year thereafter until January first, nineteen hundred and forty-seven, but shall not affect prescriptions already made by said fire commissioner for years prior to the year nineteen hundred and forty-three, nor shall it affect the power of said commissioner to enforce any such prior prescription.

SECTION 4. This act shall take effect upon its passage.

Approved March 4, 1946.

Chap.101 AN ACT AUTHORIZING THE CITY OF SALEM TO SELL CERTAIN
LAND HELD BY IT FOR PARK PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Salem is hereby authorized to sell and convey such portion of the property located at the corner of Orchard and Franklin streets in said city and held by it for park purposes, as may be determined by the park commissioners of said city. The proceeds of any such sale or sales shall be paid into the treasury of said city and shall be subject to appropriation for any purpose or purposes for which said city is authorized to incur debt for a period of ten years or more.

SECTION 2. Chapter one hundred and twenty-three of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 4, 1946.

AN ACT AUTHORIZING THE CITY OF SALEM TO SELL AND CONVEY CERTAIN PARK PROPERTY. Chap. 102

Be it enacted, etc., as follows:

The city of Salem by its mayor, when so authorized by the city council, may sell and convey, free and clear from any obligation to use the same for park purposes or any other public purpose, if in other respects the city has or obtains a clear title thereto, a certain parcel of land situated on the northerly side of Fort avenue, now under control of the park department, and described as follows: —

Said parcel being twenty-five feet in width and extending from Almshouse Road easterly to the division line between land of the city of Salem, Public Property Department, and land of the city of Salem, Park Department, as shown on a plan entitled, "Topographical Survey of Land Public Park at Salem Willows 1896 Scale 40 feet to an inch Charles A. Metcalf Engineer and Surveyor," said plan being on file in the office of the city engineer.

The proceeds of any such sale or sales shall be paid into the treasury of said city and shall be subject to appropriation for any purpose or purposes for which said city is authorized to incur debt for a period of ten years or more.

Approved March 4, 1946.

AN ACT RELATIVE TO ELIGIBILITY FOR PROMOTION, PROMOTIONAL EXAMINATIONS IN CERTAIN DEPARTMENTS, AND THE TIME WITHIN WHICH ELIGIBLE LISTS SHALL BE ESTABLISHED, UNDER THE CIVIL SERVICE LAWS. Chap. 103

Be it enacted, etc., as follows:

Chapter thirty-one of the General Laws is hereby amended by striking out section fifteen, as most recently amended by sections three and four of chapter seven hundred and four of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 15.* No person shall be appointed or promoted to any position in the classified civil service except upon requisition by the appointing officer and upon certification by the director from an eligible list prepared in accordance with this chapter and the rules and regulations made thereunder. If there is no such list, or if the director is unable to comply with a requisition, he may, subject to section twenty-five, authorize a provisional appointment. Such a provisional appointment may be authorized to fill a permanent position for a period of not more than three months, and may be renewed for an additional three months, except that in departments, institutions or hospitals the functions of which are connected with public safety or public health where the public service would otherwise suffer, the director may renew such provisional appointment for one more additional period of three months if supported by four affirmative votes of the commis-

G. L. (Ter. Ed.), 31, § 15, etc., amended.

Appointment, certification, etc.

sion, and a statement of such renewal and the reasons therefor shall be set forth by the director in his monthly report; but no person shall be certified for more than one such provisional appointment and renewal or renewals, as the case may be, in any twelve-month period. Authorization to make a provisional appointment shall be void if not exercised within two weeks from the date thereof. The director shall forthwith conduct an examination and establish an eligible list for such a position. A provisional appointment to fill a permanent position shall, except in the case of a second renewal of such a provisional appointment as aforesaid, be terminated by the director within fourteen days after the establishment of an eligible list for such position, and it may be terminated by the director at any time.

Except as otherwise provided in sections nineteen A, twenty A, twenty C, twenty-two, forty-two, forty-seven B, forty-eight, and forty-nine A of this chapter, section thirty-six of chapter forty-eight, section eleven of chapter one hundred and twenty-seven, section four of chapter two hundred and seventy-three of the acts of nineteen hundred and thirteen, and section four of chapter three hundred and seventy-two of the acts of nineteen hundred and fourteen, no person shall receive an original appointment to the official service of the commonwealth or any city or town thereof otherwise than by virtue of a competitive examination, unless (a) the director shall certify that he has previously held a competitive examination for the position involved and has been unable to establish an eligible list of at least two available persons; or unless (b) a position not under civil service is placed thereunder by virtue of a statute or rule and the director makes recommendations supported by four affirmative votes of the commission to include under civil service any present incumbent of the position, subject to passing a qualifying examination, prescribed by the director.

In cases arising under the provisions of said clause (a), a person to be selected by the appointing officer in accordance with this chapter and rules made thereunder may be appointed subject to passing a non-competitive or qualifying examination, as the director may authorize. If one person passes a competitive examination and the appointing official signifies his desire to appoint said person to the position, the appointment shall be authorized by the director.

A provisional appointment to fill a temporary position shall continue for the period for which it was authorized; provided, that no such appointment shall be made for more than three months, and the director may authorize not more than one further provisional appointment to the same temporary position in any twelve-month period. Any alteration in the nature of the employment of a person holding such a provisional appointment or any increase in salary thereof shall immediately terminate such an appointment.

In case of an emergency, which could not have been foreseen and where the public business would be seriously im-

peded by delay in filling any position in the manner provided by law, an appointing officer may make an emergency appointment without requisition; but in no case shall such emergency appointment continue for more than thirty days within the sixty consecutive days next following, and in every such case he shall forthwith report the same to the director, stating the reason therefor, in such form and detail as the director may prescribe, and the time, not exceeding thirty days within the sixty consecutive days next following, for which such employment is to last. No such emergency appointment shall be renewed except with the consent of the director or be renewed more than once, except that in departments, institutions or hospitals the functions of which are connected with the public safety or public health where the public service would otherwise suffer, the director may renew such emergency appointment for one additional period; but no person shall receive more than one such appointment and renewal or renewals, as the case may be, in any twelve-month period. Vacancies of which an appointing authority has had, or might with due diligence have, reasonable knowledge shall not be considered an emergency under this section.

A. An appointing authority, with the approval of the director, may promote in the same department or division of a department in the official service an employee in one grade to the next higher grade as determined by the director; provided, that such employee has been employed at least three years in the lower grade, is the oldest employee, the second oldest employee or the third oldest employee in length of service who is willing to accept, and that such employee passes a qualifying examination prescribed by the director. This paragraph shall not apply in any case where a promotion is required to be made as provided in section twenty.

B. Except as authorized by paragraph A, and except as otherwise provided in section twenty, all promotions in the official service shall be made after a competitive promotional examination open in succession to those who have been employed for at least one year in the next lower grades, as determined by the director, in the same department or division of a department, until a sufficient number of applicants to hold a competitive examination is obtained. In case an eligible list of at least two available persons is not established from such promotional examination, then a competitive promotional examination may be held open to any class within the service of the same or any other department, or division of a department, as the director may determine. In case an eligible list of at least two available persons is not established from either of such promotional examinations, the positions shall be filled after open competitive examination; provided, that if there be one person on either eligible list, the director shall certify such person.

C. In each instance when the appointing authority appoints or promotes, as the case may be, any person other

than the person whose name appears highest on a list certified to him or it by the director for a position, the appointing authority shall forthwith deliver to the director a written statement of his or its reason for not appointing or promoting the person or persons whose name or names appear on such list with higher rating than the name of the person so appointed or promoted, and no appointment or promotion of any person other than the person whose name appears highest on such list shall become effective until such statement has been received by the director. Every such statement shall be filed in the office of the division, but shall not be a public record; provided, that it may be inspected by any person referred to in such statement or by his attorney, duly authorized thereto in writing.

Approved March 4, 1946.

Chap.104 AN ACT AUTHORIZING THE TOWN OF FALMOUTH TO PAY A CERTAIN SUM OF MONEY TO THE MENAUAHANT YACHT CLUB FOR WATER MAIN EXTENSIONS AND EQUIPMENT.

Be it enacted, etc., as follows:

The town of Falmouth is hereby authorized to appropriate the sum of eleven thousand five hundred and twenty-four dollars and fifty cents and pay the same to the Menauhant Yacht Club to reimburse said club for moneys expended by it for water main extensions and hydrants and appliances in or on certain public streets and the following private ways in that part of said Falmouth called Menauhant, viz.: — Bliss, Hotel, Angell, Hurney and Bullock streets, Jewelers and Park avenues and Park place; provided, that no payment shall be made hereunder unless and until said club shall have released to said town by proper instrument or instruments all right, title and interest which said club has in said works, nor unless and until said town shall have received or acquired permanent easements for the operation and maintenance of said water main extensions, hydrants and appliances in or on the aforesaid private ways.

Approved March 4, 1946.

Chap.105 AN ACT RELATIVE TO THE BORROWING OF MONEY BY THE TOWN OF PLYMOUTH FOR THE PURPOSE OF REMODELING THE OLD HIGH SCHOOL BUILDING AND INSTALLING A NEW HEATING PLANT AND VENTILATING SYSTEM THEREIN, ERECTING A BUILDING ADJACENT TO SAID HIGH SCHOOL BUILDING AND PURCHASING EQUIPMENT FOR A VOCATIONAL SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and sixty-one of the acts of nineteen hundred and forty-one is hereby amended by striking out, in the sixth line, the word "five" and inserting in place thereof the word: — ten, —

and by striking out, in the eighth line, the word "fifty" and inserting in place thereof the word: — seventy-five, — so as to read as follows: — *Section 1.* For the purposes of remodeling the old high school building and installing a new heating plant and ventilating system therein, and of erecting a building adjacent to said high school building, and for the purchase of equipment for a vocational school, the town of Plymouth may borrow, from time to time, within a period of ten years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on the face the words, Plymouth School Loan, Act of 1941. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be within the statutory limitation, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved March 5, 1946.

AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES *Chap. 106*
IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

SECTION 1. The paragraph of section one of chapter one hundred and seventy-eight of the acts of nineteen hundred and nine inserted by section one of chapter one hundred and fifty-four of the acts of nineteen hundred and thirty-seven is hereby amended by striking out, in the eleventh line, the word "five" and inserting in place thereof the word: — nine, — so as to read as follows: —

Notwithstanding the foregoing provisions of this section, if in the opinion of the school committee amounts in excess of the aggregate amount which would be available under such provisions are necessary for the above named purposes for any financial year, the school committee, by vote of a majority of all its members taken by yeas and nays, subject to the approval of the mayor, may increase appropriations for said purposes for such financial year, but the total amount available for said purposes from all sources, including taxation, balances of appropriations and miscellaneous receipts, shall not exceed the sum of one million nine hundred and fifty thousand dollars.

SECTION 2. Appropriations for the current year may be made under section one of said chapter one hundred and seventy-eight, as most recently amended by section one of this act and as affected by section thirty of chapter forty-four of the General Laws, at any time before the fixing of the tax rate for the city of Lynn for the current year, notwithstanding any provision therein contained.

SECTION 3. Chapter sixty-three of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 4. This act shall take effect upon its passage.
Approved March 5, 1946.

Chap.107 AN ACT AUTHORIZING THE CITY OF CHELSEA TO CONVEY CERTAIN LAND TO THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The city of Chelsea is hereby authorized to convey to the commonwealth by deed, without consideration, a parcel of park land, so called, and shown on a plan dated December twenty-fourth, nineteen hundred and forty-five, by William S. Crocker, civil engineer, to be recorded with said deed, such land being bounded and described according to said plan as follows:

Northeasterly by Summit Ave., 1,160 feet;

Southeasterly by Lot 224, being the Fabens Lot, 141 feet;

Northeasterly again by the Fabens Lot, 50 feet;

Northwesterly by the Fabens Lot, 130.60 feet;

Easterly by a curving line forming the intersection of Summit Ave. and Hillside Ave., 329.82 feet;

Southeasterly by land of Bernard Loughlin, 239.95 feet;

Westerly by a fence along land now or formerly of Foote, 40 feet;

Southwesterly by land now or formerly of Foote, Windsor, city of Chelsea and Gale, 296.64 feet;

Westerly again by land of Edward F. Cotter and land of James and Margaret Lewis, 109.09 feet;

Southeasterly by land of James and Margaret Lewis, 41.65 feet;

Southwesterly by Spruce St. and land now or formerly of C. A. Denning, 116.05 feet;

Southeasterly by land now or formerly of C. A. Denning, 160.02 feet; and

Southwesterly by Lafayette Ave., 893.43 feet.

The total area described, including Lot 224, known as the Fabens Lot, contains 462,719 square feet.

SECTION 2. Chapter four hundred and thirty-two of the acts of nineteen hundred and forty-five is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 5, 1946.

Chap.108 AN ACT EMPOWERING THE CITY OF CAMBRIDGE TO APPOINT A COMMISSIONER OF PUBLIC HEALTH AND DEFINING HIS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge is hereby empowered to appoint a commissioner of public health, hereinafter referred to as the commissioner. The term of office and the salary of the commissioner shall be fixed by the city council

of said city. The appointment of the commissioner shall be made by the city manager of said city and he shall be removable in accordance with the applicable provisions of the charter of said city. The commissioner shall be a physician licensed to practice in the commonwealth.

SECTION 2. The commissioner shall have all the powers and shall perform all the duties exercised or performed, immediately prior to the effective date of this act, by the board of health of said city under any law or ordinance pertaining thereto, and shall perform any further duties and shall have any further powers required of or conferred upon the board of health of said city by law or ordinance or required of or conferred upon boards of health of municipalities by law.

SECTION 3. Nothing herein contained shall be construed to affect or modify the employment or status or rights of any of the inspectors, clerks, nurses or other employees employed by the board of health of the city of Cambridge upon said effective date.

SECTION 4. The board of health of the city of Cambridge shall continue in office, and successors to the present members shall be appointed from time to time as required by law and shall consult with and advise the commissioner, but shall not exercise any of the powers or perform any of the duties required by law to be performed by the commissioner.

Approved March 5, 1946.

AN ACT REPEALING CERTAIN PROVISIONS OF LAW DEFERRING THE REQUIREMENT THAT AUDITS OF ACCOUNTS OF CITIES AND TOWNS BE MADE ANNUALLY.

Chap.109

Whereas, The deferred operation of this act would tend to defeat its purpose by delaying audits essential to the welfare of cities and towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter twenty-nine of the acts of nineteen hundred and forty-five is hereby amended by striking out section two.

Approved March 6, 1946.

AN ACT AUTHORIZING CAMBRIDGE SAVINGS BANK TO INVEST A CERTAIN SUM OF MONEY IN THE IMPROVEMENT OF ITS BUILDING IN THE CITY OF CAMBRIDGE USED FOR THE TRANSACTION OF ITS BUSINESS.

Chap.110

Be it enacted, etc., as follows:

SECTION 1. Cambridge Savings Bank, incorporated under the name of The Savings Institution in the Town of Cambridge by chapter one hundred and ninety-one of the acts of eighteen hundred and thirty-four and having its usual place of business in the city of Cambridge, may, subject to the approval of the commissioner of banks, invest in the

alteration or renovation of the building now owned by it in said Cambridge and used for its business purposes a sum not exceeding two hundred and fifty thousand dollars in addition to any sums said bank has heretofore been authorized to invest in connection with said building and the land on which it is situated.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1946.

Chap.111 AN ACT FURTHER DEFERRING THE EXERCISE BY CO-OPERATIVE BANKS OF THE PRIVILEGE OF CONVERTING INTO CERTAIN FEDERAL AGENCIES.

Emergency
preamble.

Whereas, The principal purpose of this act is to postpone further the taking effect of certain provisions of law contained in section one of chapter two hundred and thirty-five of the acts of nineteen hundred and forty-three and the delayed taking effect of this act would prevent the achievement of such purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section two of chapter two hundred and thirty-five of the acts of nineteen hundred and forty-three, as amended by chapter one hundred and ninety-three of the acts of nineteen hundred and forty-five, is hereby further amended by striking out, in the third line, the word "three", and inserting in place thereof the word: — four, — so as to read as follows: — *Section 2.* The privilege of conversion permitted by said section fifty A shall not be exercised by any co-operative bank during the period of four years immediately following the effective date of this act.

Approved March 6, 1946.

Chap.112 AN ACT RELATIVE TO INSURANCE POLICIES OF SAVINGS AND INSURANCE BANKS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 178, § 10,
etc., amended.

SECTION 1. Section ten of chapter one hundred and seventy-eight of the General Laws, as most recently amended by section one of chapter three hundred and thirty of the acts of nineteen hundred and thirty-five, is hereby further amended by inserting after the word "interest" in the thirteenth line, the following: — , or under a policy combining decreasing term insurance in an amount not exceeding two thousand dollars with life or endowment insurance in an amount not exceeding one thousand dollars exclusive of dividends or profits and in which the term insurance shall decrease in amount at regular intervals so that no part of said term insurance shall be in force beyond twenty years from the date of issue of said policy, — so as to read as follows: — *Section 10.* No savings and insurance bank shall

Amount of
policies or

write any policy or annuity contract binding it to pay more than one thousand dollars, exclusive of dividends or profits, upon the death of any one person, except under such agreement as it may make to pay an amount equal to a cash surrender value which may exceed one thousand dollars, and except for such amount, if any, as it may be bound to pay upon the death of such person under an employees' group policy, or under an annuity contract embodying an agreement to refund, upon the death of the holder, to his estate or to a specified payee, a sum not exceeding the premiums paid thereon with compound interest, or under a policy combining decreasing term insurance in an amount not exceeding two thousand dollars with life or endowment insurance in an amount not exceeding one thousand dollars exclusive of dividends or profits and in which the term insurance shall decrease in amount at regular intervals so that no part of said term insurance shall be in force beyond twenty years from the date of issue of said policy, nor shall it write any annuity contract otherwise binding it to pay in any one year more than two hundred dollars, exclusive of dividends or profits. annuity contracts.

SECTION 2. The aggregate amount of savings bank life insurance which may be issued or in force at any time on any one life, in all savings and insurance banks, shall be and remain the same as if this act had not been passed and shall not exceed an aggregate amount which would be equal to one thousand dollars in each savings and insurance bank, exclusive of group insurance, dividends and profits.

Approved March 6, 1946.

AN ACT RELATIVE TO THE NUMBER OF MEMBERS OF THE RESERVE POLICE FORCE IN THE CITY OF BEVERLY. Chap.113

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twelve of chapter one hundred and forty-seven of the General Laws, additional appointments may be made to the reserve police force in the city of Beverly until the number of members thereof reaches sixteen, but thereafter no new appointments shall be made to said force which would increase the number of its members to more than the number fixed for said city under said section twelve of said chapter one hundred and forty-seven.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the board of aldermen of said city, subject to the provisions of its charter, but not otherwise.

Approved March 6, 1946.

Chap.114 AN ACT REPEALING CERTAIN PROVISIONS OF LAW DEFERRING THE ACCEPTANCE BY CITIES AND TOWNS OF A LAW PROVIDING THAT THE HOURS OF DUTY OF PERMANENT MEMBERS OF THEIR UNIFORMED FIRE FORCES SHALL NOT EXCEED FORTY-EIGHT HOURS PER WEEK.

Be it enacted, etc., as follows:

Section two of chapter four hundred and thirteen of the acts of nineteen hundred and forty-five is hereby repealed.

Approved March 6, 1946.

Chap.115 AN ACT AUTHORIZING CERTAIN BANKING COMPANIES TO RECEIVE DEPOSITS SUBJECT TO WITHDRAWAL BY CHECK.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 172A, new § 6A, added.

Receipt of deposits subject to withdrawal by check authorized under certain conditions.

SECTION 1. Chapter one hundred and seventy-two A of the General Laws is hereby amended by inserting after section six, as amended, the following section: — *Section 6A.* Subject to the limitations hereinafter provided, any such corporation which shall have been authorized under section one to do the business of a banking company may, during such time as it shall have membership in the Federal Deposit Insurance Corporation, referred to in paragraph (c) of section forty-eight of chapter one hundred and seventy-two, inserted by chapter two hundred and seventy-six of the acts of nineteen hundred and thirty-seven, receive deposits of money payable on demand and subject to withdrawal by check or similar order, such deposits being referred to in this chapter as demand deposits, and may give such collateral or other security for deposits of federal, state and municipal governments and agencies thereof as may be required by the governmental authority making such deposits or controlling the terms under which they may be made. The total of the indebtedness of any such corporation to any individual, estate, trust, corporation, association or partnership on account of collected balances of deposits received under authority of this section shall not at any time exceed ten thousand dollars; but this limitation shall not apply to deposits received from said governments and agencies thereof and from banking institutions and charitable and religious organizations. No such corporation shall receive or have at any time aggregate deposits under this section which, together with certificate funds referred to in section five, would be in excess of ten times the total of its capital, surplus, undivided profits and unallocated reserves; except that pledged certificate funds referred to in section five, interest on certificate funds whether or not so pledged and secured deposits of governments and agencies thereof hereinbefore referred to, shall not be included in the aggregate deposits of such corporation for the purposes of this provision.

G. L. (Ter. Ed.), 172A, § 7, etc., amended.

SECTION 2. Section seven of said chapter one hundred and seventy-two A, appearing in section four of chapter four hundred and fifty-two of the acts of nineteen hundred and

thirty-five, is hereby amended by striking out the preliminary sentence, contained in the first three lines, and inserting in place thereof the following sentence: — The capital, surplus, certificate and other funds and income derived therefrom of such corporation shall be invested only as follows: —

Investment of funds, etc., regulated.

SECTION 3. Section ten of said chapter one hundred and seventy-two A, appearing in said section four of said chapter four hundred and fifty-two, is hereby amended by inserting after the word "least" in the second line the words: — fifteen per cent of the aggregate amount of its demand deposits, referred to in section six A, and, — so that the first sentence will read as follows: — Every such corporation shall at all times have on hand as a reserve an amount equal to at least fifteen per cent of the aggregate amount of its demand deposits, referred to in section six A, and five per cent of the aggregate amount of its certificate funds, exclusive of all certificate funds in any manner pledged to it as security for loans.

G. L. (Ter. Ed.), 172A, § 10, etc., amended.

Reserves.

Approved March 6, 1946.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO SELL CERTAIN LAND NEAR THE CHARLES RIVER. Chap.116

Be it enacted, etc., as follows:

Section one of chapter three hundred and ninety-three of the acts of nineteen hundred and thirteen, as most recently amended by chapter seventy-nine of the Special Acts of nineteen hundred and nineteen, is hereby further amended by adding at the end the two following sentences: — Said city is hereby further authorized, by vote of its city council upon the recommendation of its city manager and its industrial commission, to sell all or any part of such land. The proceeds of any such sale or sales shall be paid into the treasury of said city and shall be subject to appropriation for any purpose or purposes for which said city is authorized to incur debt for a period of ten years or more, — so as to read as follows: — *Section 1.* The city of Cambridge, by vote of its city council, is hereby authorized to alter the use of all or any part of such land taken by it under authority of chapter three hundred and forty-one of the acts of the year eighteen hundred and ninety-two, and by chapter three hundred and thirty-seven of the acts of the year eighteen hundred and ninety-three, as borders on the Charles river between Lechmere canal and Broad canal, may maintain a public dock or wharf thereon and in the manner hereinafter specified may lease said land or any part of it for wharves, terminals, and all other commercial purposes for periods not exceeding ninety-nine years. Said city is hereby further authorized, by vote of its city council upon the recommendation of its city manager and its industrial commission, to sell all or any part of such land. The pro-

ceeds of any such sale or sales shall be paid into the treasury of said city and shall be subject to appropriation for any purpose or purposes for which said city is authorized to incur debt for a period of ten years or more.

Approved March 7, 1946.

**Chap.117 AN ACT RELATIVE TO SEWER BETTERMENT ASSESSMENTS
IN THE TOWN OF NORTH ANDOVER.**

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and eighty of the acts of nineteen hundred and six is hereby amended by striking out section six, as most recently amended by chapter twenty-three of the acts of nineteen hundred and twenty-one, and inserting in place thereof the following section: —
Section 6. The owners of estates benefited by and abutting on any streets or ways, public or private, in which sewers shall be laid under the provisions of this act, shall pay to said town toward defraying the cost of said sewer system or systems of sewerage and sewage disposal an assessment or betterment charge not exceeding in amount the sum of two cents per square foot of area within the depth of one hundred feet from the line of such street or way. In the case of corner estates abutting on more than one sewered street the same area shall not be assessed twice. No estate shall be deemed benefited unless or until a sewer has been constructed into which it can be drained. The remainder of the cost of said system or systems shall be borne by the town. No particular or other sewers from any estate or part of an estate not already assessed or not liable to assessment, as provided above, shall be entered into a common sewer, except upon the payment of such an assessment and upon such other terms and conditions as the board of public works shall determine.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the registered voters of said town present and voting thereon at an annual town meeting, but not otherwise.

Approved March 7, 1946.

**Chap.118 AN ACT AUTHORIZING MUNICIPALITIES TO REVOKE THEIR
ACCEPTANCE OF LAWS PROVIDING FOR ABSENT VOTING
AT REGULAR MUNICIPAL ELECTIONS.**

Be it enacted, etc., as follows:

Section one hundred and three A of chapter fifty-four of the General Laws, as most recently amended by chapter one hundred and fifty-two of the acts of nineteen hundred and thirty-nine, is hereby further amended by adding at the end the following paragraph: —

The acceptance of this section may be revoked by any city by vote of its city council, subject to the provisions of its charter, at a meeting held not less than ninety days before a regular city election and by any town by vote of

G. L. (Ter.
Ed.), 54,
§ 103A, etc.,
amended.

Revocation.

the town at any annual meeting or any special meeting called for the purpose and held not less than ninety days before an annual meeting; and after any such revocation the preceding paragraphs of this section shall not apply in such city or town.

Approved March 7, 1946.

AN ACT RELATIVE TO THE RATE OF INTEREST TO BE CHARGED Chap.119
ON CERTAIN SMALL LOANS.

Be it enacted, etc., as follows:

Section one hundred of chapter one hundred and forty of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fifth line, the word "three" and inserting in place thereof the word:—two,—so as to read as follows:—*Section 100.* He shall establish the rate of interest to be collected, and in fixing said rate shall have due regard to the amount of the loan, and the nature of the security, and the time for which the loan is made; but the total amount to be paid on any loan for interest and expenses shall not in the aggregate exceed an amount equivalent to two per cent a month on the amount actually received by the borrower, computed on unpaid balances; and no licensee or company or association to which sections ninety-six to one hundred and twelve, inclusive, apply shall charge or receive upon any loan a greater rate of interest than that fixed by the commissioner. No charge, bonus, fee, expense or demand of any nature whatsoever, except as above provided, shall be made upon loans to which said sections relate. *Approved March 11, 1946.*

G. L. (Ter. Ed.), 140, § 100, amended.

Rate of interest.

AN ACT TO PROVIDE FOR THE MAINTENANCE OF THE BARN- Chap.120
STABLE COUNTY SANATORIUM.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Barnstable county sanatorium, established under chapter one hundred and fifty-three of the General Acts of nineteen hundred and fifteen, as amended, shall provide for the maintenance, operation and repair of said sanatorium, and the support of patients thereat. For said purposes the county commissioners of the county of Barnstable shall include in the annual estimates required by section twenty-eight of chapter thirty-five of the General Laws the estimate of said trustees of the amount required for said purposes for the ensuing year, and the trustees may expend for said purposes such sums as the general court may authorize in the annual appropriation for county expenses.

SECTION 2. Section twenty-eight A of chapter thirty-five and section eighty-five of chapter one hundred and eleven, both of the General Laws, shall not apply to Barnstable county.

SECTION 3. Chapter two hundred and twenty-nine of the General Acts of nineteen hundred and eighteen is hereby repealed.

SECTION 4. This act shall take effect as of January first in the current year. *Approved March 11, 1946.*

Chap.121 AN ACT PROVIDING MAINTENANCE ALLOWANCE FOR DEPUTY SHERIFFS ACTING AS MASTERS OR KEEPERS OF JAILS OR HOUSES OF CORRECTION.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 37, § 17,
etc., amended.

Salaries, etc.,
of sheriffs
or deputy
sheriffs.

Section seventeen of chapter thirty-seven of the General Laws, as amended by chapter sixty-three of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "act" in the fifth line the words: —, or his deputy acts, — so as to read as follows: — *Section 17.* The salaries of sheriffs shall be paid by their respective counties and shall, except as hereinafter provided, be in full compensation for all services rendered both as sheriff and as master or keeper of the jail or house of correction. If a sheriff elects to act, or his deputy acts, as master or keeper of the jail or house of correction and resides thereat, he shall be entitled to rent, heat and light, and such subsistence as he may desire out of the regular subsistence rations purchased for prisoners, together with such other maintenance as may be determined from time to time by the county personnel board. *Approved March 11, 1946.*

Chap.122 AN ACT RELATIVE TO THE AMOUNT THAT MAY BE INVESTED BY A SAVINGS BANK IN BANKING PREMISES AND IN ALTERATIONS IN AND ADDITIONS TO BANKING PREMISES OWNED OR LEASED BY SUCH A BANK.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 168, § 54,
amended.

Bank
building.

Section fifty-four of chapter one hundred and sixty-eight of the General Laws is hereby amended by striking out clause eleventh, as appearing in the Tercentenary Edition, and inserting in place thereof the following clause: —

Eleventh. Subject to the following provisions of this clause, any such corporation may invest in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business and in alterations in and additions to a bank building owned by it sums not exceeding, in the aggregate, its guaranty fund and undivided earnings, or five per cent of its deposits, or two hundred thousand dollars, whichever is the lesser. All such investments, except an investment in such alterations or additions involving an expense of ten thousand dollars or less, shall be made subject to the approval of the commissioner. The amount hereinbefore authorized to be invested by such a corporation in a bank building and alterations therein and additions thereto shall from time to time be in-

creased by all sums realized by it from any sale or other disposal of such a building or any part thereof and by sums charged off by it for depreciation, obsolescence or amortization, to the extent approved by the commissioner. Any such corporation may, with the approval of the commissioner, expend sums not exceeding, in the aggregate, one fifth of one per cent of its deposits or fifty thousand dollars, whichever is the lesser, for alterations in, or additions to, any premises leased by it for the transaction of its business; provided, that the amount so authorized to be expended shall from time to time be increased by sums charged off by it for depreciation, obsolescence or amortization, to the extent approved by the commissioner. *Approved March 11, 1946.*

AN ACT RELATIVE TO THE AMOUNT THAT MAY BE INVESTED BY A CO-OPERATIVE BANK IN BANKING PREMISES AND IN ALTERATIONS IN AND ADDITIONS TO BANKING PREMISES OWNED OR LEASED BY SUCH A BANK.

Chap. 123

Be it enacted, etc., as follows:

Chapter one hundred and seventy of the General Laws is hereby amended by striking out section thirty-nine, as amended by chapter seventy-seven of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section:— *Section 39.* Subject to the following provisions of this section, any such corporation may invest in the purchase of a suitable site and the erection or preparation of a suitable building for the convenient transaction of its business and in alterations in and additions to a bank building owned by it sums not exceeding, in the aggregate, its surplus and guaranty fund accounts or two and one half per cent of its share liabilities, whichever is the lesser. All such investments, except an investment in such alterations or additions involving an expense of ten thousand dollars or less, shall be made subject to the approval of the commissioner, but no such approval shall be granted with respect to such alterations or additions costing more than one hundred thousand dollars. The amount hereinbefore authorized to be invested by such a corporation in a bank building and alterations therein and additions thereto shall from time to time be increased by all sums realized by it from any sale or other disposal of such a building or any part thereof and by sums charged off by it for depreciation, obsolescence or amortization, to the extent approved by the commissioner. Any such corporation may, with the approval of the commissioner, expend sums not exceeding, in the aggregate, its surplus and guaranty fund accounts or one half of one per cent of its share liabilities, whichever is the lesser, for alterations in, or additions to, any premises leased by it for the transaction of its business; provided, that the amount so authorized to be expended shall from time to time be increased by sums charged off by it for depreciation, obsolescence or

G. L. (Ter. Ed.), 170, § 39, etc., amended.

Bank buildings.

amortization, to the extent approved by the commissioner. For the purposes of this section, the share liabilities of such a corporation shall include its liabilities to the owners of share savings accounts. *Approved March 11, 1946.*

Chap.124 AN ACT AUTHORIZING CERTAIN FRATERNAL BENEFIT SOCIETIES TO PAY PENSIONS TO THEIR EMPLOYEES IN CERTAIN CASES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 176, new § 49A, added.
Payment of pension to certain employees.

Chapter one hundred and seventy-six of the General Laws is hereby amended by inserting after section forty-nine the following section: — *Section 49A.* Any society operating on the lodge system with a representative form of government, except a society operating under section forty-six, whose rates are on a basis of mortality not lower than the National Fraternal Congress Table as adopted by the National Fraternal Congress, August twenty-third, eighteen hundred and ninety-nine, if its constitution and by-laws so provide, may pay a pension to any employee who has been continuously in the service of the society for ten years or more and who has become incapacitated for further service by reason of physical or mental disability, and may pay a pension to any employee who has been continuously in the service of the society for fifteen years or more and who is retired by reason of the infirmities of age or has attained the age of sixty-five years. All moneys expended for the purposes of this section shall be paid from the expense fund of the society.

Approved March 11, 1946.

Chap.125 AN ACT AUTHORIZING DOMESTIC LIFE INSURANCE COMPANIES TO INVEST IN REAL ESTATE MORTGAGES INSURED UNDER THE NATIONAL HOUSING ACT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 65, amended.

Certain loans on mortgages.

Section sixty-five of chapter one hundred and seventy-five of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following: — ; provided, that any domestic life company may make and acquire loans secured by mortgages on real estate within or without the commonwealth insured by the Federal Housing Administrator under the provisions of the National Housing Act or of any act in amendment thereof or in addition thereto, and may obtain such insurance, — so as to read as follows: — *Section 65.* No domestic company shall, except in effecting the sale of real estate owned by it, and then only with the approval of the commissioner, invest any of its funds in loans upon mortgages except upon the conditions expressed in the seventh paragraph of section sixty-three; provided, that any domestic life company may make and acquire loans secured by mortgages on real estate within or without the commonwealth insured by the Federal

Housing Administrator under the provisions of the National Housing Act or of any act in amendment thereof or in addition thereto, and may obtain such insurance.

Approved March 11, 1946.

AN ACT RELATIVE TO THE MAKING BY BANKING AND INSURANCE COMPANIES OF LOANS TO VETERANS OF WORLD WAR II GUARANTEED OR INSURED BY THE ADMINISTRATOR OF VETERANS' AFFAIRS.

Chap.126

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available without delay to qualifying veterans of World War II the additional benefits of the Act of Congress known as the Servicemen's Readjustment Act of 1944 which became available to them on December 28, 1945, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter forty-six of the acts of nineteen hundred and forty-five is hereby amended by striking out, in the ninth line, the word "five" and inserting in place thereof the word: — ten, — by inserting after the word "guaranteed" in the twelfth line the words: — or insured, — and by inserting after the word "guaranties", in the sixteenth and seventeenth lines, the words: — or insurance, — so as to read as follows: — *Section 1.* Subject to such regulations as the commissioner of banks deems to be necessary or advisable in respect to trust companies, savings banks, co-operative banks or credit unions, and to such regulations as the commissioner of insurance deems to be necessary or advisable in respect to insurance companies, any trust company, savings bank, co-operative bank, credit union or insurance company organized under the laws of this commonwealth is authorized, for a period ending ten years after the termination of the present states of war between the United States and certain foreign countries, to make such loans and advances of credit to qualified veterans of World War II as are guaranteed or insured in whole or in part by the administrator of veterans' affairs or his successor or successors in such office, under the act of congress known as the Servicemen's Readjustment Act of 1944, or any amendment thereof, and to obtain such guaranties or insurance.

SECTION 2. Section two of said chapter forty-six is hereby amended by inserting after the word "guaranteed" in the tenth line the words: — or insured, — so as to read as follows: — *Section 2.* During the period that the provisions of this act are in force and effect, and, with respect to the obligation of any contract entered into during said period under the provisions of this act, for the life of said obligation, no provision of law limiting the power of a trust

company, savings bank, co-operative bank, credit union or insurance company organized under the laws of this commonwealth to make loans shall apply to loans made pursuant to section one of this act, subject to regulations referred to in section one and guaranteed or insured in whole or in part by the administrator of veterans' affairs.

Approved March 12, 1946.

Chap.127 AN ACT TO SUSPEND UNTIL APRIL FIRST, NINETEEN HUNDRED AND FORTY-SEVEN, CERTAIN PROVISIONS OF THE LABOR LAWS RELATING TO THE HOURS OF EMPLOYMENT OF WOMEN AND CHILDREN IN THE MANUFACTURE OF TEXTILE GOODS, AND TO THEIR MEAL PERIOD.

Emergency
preamble.

Whereas, The threat of competition to the textile industry in this commonwealth is such that immediate suspension of certain labor laws is required, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

In the manufacture of textile goods, no male under eighteen and no female shall be employed before six o'clock in the morning or after eleven o'clock in the evening, and no person under eighteen and no female eighteen or over shall be employed for more than six hours at one time without an interval of at least thirty minutes for a meal, but if the establishment is run on a one shift basis the meal period shall be at least forty-five minutes.

Any employer, superintendent, overseer, agent or other person who violates any provision of this act shall be punished for a first offence by a fine of not less than fifty nor more than one hundred dollars, and for a subsequent offence by a fine of not less than one hundred nor more than two hundred dollars or by imprisonment for not more than two months, or both.

This act shall remain in effect until April first, nineteen hundred and forty-seven, and until said date the provisions of sections fifty-nine, sixty-six and one hundred of chapter one hundred and forty-nine of the General Laws shall not apply in the case of the manufacture of textile goods.

Approved March 12, 1946.

Chap.128 AN ACT AUTHORIZING THE USE OF FACSIMILES OF THE SEAL OF THE COMMONWEALTH ON BONDS AND NOTES OF THE COMMONWEALTH.

Emergency
preamble.

Whereas, The deferred operation of this act would prevent the accomplishment of one of its purposes, which is to provide for more expeditious delivery of bonds and notes to the purchasers after sale of the same, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section forty-eight A of chapter twenty-nine of the General Laws, inserted by chapter two hundred and fifty-two of the acts of nineteen hundred and thirty-seven, is hereby amended by adding at the end the following:—, and facsimiles of the seal of the commonwealth may be used on bonds and notes of the commonwealth and shall have the same validity and effect as though said seal were impressed thereon,— so as to read as follows:— *Section 48A.* Facsimiles of the signature of the governor on original issues or transfers of bonds or notes of the commonwealth shall have the same validity and effect as his written signature, and facsimiles of the seal of the commonwealth may be used on bonds and notes of the commonwealth and shall have the same validity and effect as though said seal were impressed thereon.

G. L. (Ter. Ed.), 29, § 48A, etc., amended.

Facsimile signatures.

Approved March 12, 1946.

AN ACT AUTHORIZING SAVINGS BANKS TO INVEST NOT EXCEEDING THREE PER CENT OF THEIR DEPOSITS IN URBAN REDEVELOPMENT PROJECTS.

Chap. 129

Be it enacted, etc., as follows:

Chapter one hundred and twenty-one A of the General Laws, inserted by chapter six hundred and fifty-four of the acts of nineteen hundred and forty-five, is hereby amended by inserting after section eighteen the following section:— *Section 18A.* A savings bank incorporated in this commonwealth, subject to such regulations as the commissioner of banks deems necessary or advisable, may, either alone or in conjunction with one or more other savings banks, undertake one or more projects under this chapter. The provisions of section eighteen shall, so far as apt, be applicable to such savings bank or savings banks, except that the board of investment of a savings bank shall have the powers and duties granted to or imposed upon directors of an insurance company under said section. No investment shall be made by a savings bank under this section if thereby the total amount invested by such savings bank pursuant to this section would exceed three per cent of the deposits of such savings bank.

G. L. (Ter. Ed.), 121A, new § 18A, added.

Savings bank participation.

Approved March 12, 1946.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 10, 1946.

Honorable FREDERIC W. COOK, *Secretary of the Commonwealth.*

SIR:— I, Maurice J. Tobin, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the

12th day of March in the year nineteen hundred and forty-six entitled, "An Act authorizing Savings Banks to Invest not exceeding Three Per Cent of Their Deposits in Urban Redevelopment Projects" should take effect forthwith and that it is an emergency law and that the facts constituting the emergency are as follows:

An acute shortage of housing exists in many of the cities and towns of the Commonwealth, and it is urgent that the provisions of the act take effect at once so that savings banks may undertake immediately urban development projects under authority granted by the act and thus aid in relieving said shortage of housing.

Very truly yours,

MAURICE J. TOBIN,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, April 10, 1946.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and forty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and twenty-nine of the acts of nineteen hundred and forty-six.

F. W. COOK,
Secretary of the Commonwealth.

Chap. 130 AN ACT RELATIVE TO THE EXAMINATION AND CERTIFICATION
OF RECORDS OF VOTES CAST FOR REPRESENTATIVE IN THE
GENERAL COURT.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 3, § 1,
amended.

Secretary to
make and
deliver lists
of persons
returned.

SECTION 1. Chapter three of the General Laws is hereby amended by striking out section one, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 1.* The state secretary shall receive the copies of records of votes cast for representatives to the general court and shall lay such copies of records before the governor and council. On or before the Tuesday next preceding the first Wednesday of January following a state election he shall deliver to the sergeant-at-arms a certified copy of the list of the persons who appear to be elected as representatives to the general court as shown on the certificate of examination of the copies of the records of votes cast as tabulated by the governor and council and transmitted to him, and upon receiving any further such certificate of examination before the house of representatives is called to order he shall immediately transmit a certified copy of such certificate to the sergeant-at-arms. The state secretary shall also transmit to the house of representatives as soon as the members are called to order a certified copy

of each certificate of examination of the copies of records of votes cast as tabulated by the governor and council and transmitted to him.

SECTION 2. Section one hundred and twelve of chapter fifty-four of the General Laws, as most recently amended by section three of chapter thirty-one of the acts of nineteen hundred and thirty-nine, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The clerk of each city and town, within ten days, and in Boston the election commissioners, within fifteen days, after the day of any election therein for a senator in congress, representative in congress, governor, lieutenant governor, councillor, state secretary, state treasurer, state auditor, attorney general, clerk of courts, register of probate and insolvency, sheriff, district attorney, senator or representative in the general court, or for presidential electors, shall transmit to the state secretary copies of the records of votes cast for such officers, together with copies of the records of votes cast on any constitutional amendment, law or proposed law, and on any question submitted to them by statute in any senatorial or representative district or in two or more cities or towns.

G. L. (Ter. Ed.), 54, § 112, etc., amended.

Transmission to state secretary of copies of records of votes.

SECTION 3. Section one hundred and sixteen of said chapter fifty-four, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The governor shall, in the presence of at least five councillors, certify to the results of the examination of the copies of the records of votes cast for governor and lieutenant governor, for councillors, for state secretary, state treasurer, state auditor and attorney general, and for senators and representatives in the general court, and shall issue his summons to such persons as appear to be chosen to said offices.

G. L. (Ter. Ed.), 54, § 116, amended.

Certification of results, issue of summonses.

SECTION 4. Sections one hundred and twenty-four to one hundred and twenty-eight, inclusive, of said chapter fifty-four, as appearing in the Tercentenary Edition, are hereby repealed.

G. L. (Ter. Ed.), 54, §§ 124 to 128, inc., repealed.

SECTION 5. Section one hundred and forty-one of said chapter fifty-four, as most recently amended by section one of chapter twenty of the acts of nineteen hundred and forty-six, is hereby further amended by striking out the first paragraph, as appearing in section sixteen of chapter five hundred and eight of the acts of nineteen hundred and thirty-nine.

G. L. (Ter. Ed.), 54, § 141, etc., amended.

Approved March 12, 1946.

AN ACT AUTHORIZING IN CERTAIN CASES THE SHOWING OR EXHIBITING OF HORSES WHOSE TAILS HAVE BEEN SET OR DOCKED.

Chap. 131

Be it enacted, etc., as follows:

Chapter two hundred and seventy-two of the General Laws is hereby amended by striking out section seventy-

G. L. (Ter. Ed.), 272, § 79B, etc., amended.

Exhibition of mutilated horses forbidden except under certain conditions.

nine B, inserted by section one of chapter two hundred and thirty-four of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following section:—

Section 79B. Whoever shows or exhibits at any horse show or exhibition in the commonwealth a horse with its tail cut in either manner prohibited in section seventy-nine A shall be punished by a fine of not more than two hundred and fifty dollars; provided, that this section shall not apply to the showing or exhibiting at such a show or exhibition of a horse with its tail cut in either manner prohibited by section seventy-nine A, if the owner of such horse furnishes to the manager or other official having charge of the horse show or exhibition at which such horse is shown or exhibited an affidavit by the owner, in a form approved by the director of the division of livestock disease control of the department of agriculture, that the tail of such horse was so cut in a state wherein such cutting was not then specifically prohibited by the laws thereof and while the horse was actually owned by a legal resident of such state. Said affidavit shall state the year of such cutting, the name of the state wherein the cutting was done, and the sex and age of the horse, shall describe the markings of the horse, if any, and shall be subject to inspection by any officer or agent mentioned in section eighty-four.

Approved March 12, 1946.

Chap.132 AN ACT RELATIVE TO THE SALARIES OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. The mayor of the city of New Bedford shall receive for his services such salary as the city council thereof by ordinance shall determine, not exceeding sixty-five hundred dollars, notwithstanding the provisions of section sixty-two of chapter forty-three of the General Laws.

SECTION 2. The city council of said city may, by a two thirds vote of all its members taken by call of the yeas and nays, establish a salary for its members not exceeding seven hundred and fifty dollars each, notwithstanding the provisions of said section sixty-two.

SECTION 3. There shall be placed upon the official ballot to be used at the biennial municipal election in said city in the year nineteen hundred and forty-seven the following questions:—

Question (1). "Shall the mayor of this city receive for his services such salary as the city council by ordinance may determine, not exceeding sixty-five hundred dollars?"

Question (2). "Shall the city council of this city be authorized to establish, by a two thirds vote of all its members, a salary for its members not exceeding seven hundred and fifty dollars each?"

If a majority of the votes in answer to Question (1) is in the affirmative, then section one of this act shall take full effect, but not otherwise.

If a majority of the votes in answer to Question (2) is in the affirmative, then section two of this act shall take full effect, but not otherwise. *Approved March 13, 1946.*

AN ACT RELATIVE TO THE SALARIES OF THE MAYOR AND THE CITY COUNCIL IN THE CITY OF PEABODY. *Chap.133*

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section eight of chapter three hundred of the Special Acts of nineteen hundred and sixteen, the mayor of the city of Peabody shall receive for his services such salary as the city council by ordinance shall determine, not exceeding thirty-five hundred dollars a year, and he shall receive no other compensation from the city. His salary shall not be increased during the year in which the increase is voted, nor shall it be diminished during the term for which he is elected.

SECTION 2. Notwithstanding the provisions of said section eight of said chapter three hundred, the city council of said city may, by a two thirds vote of all its members, taken by call of the yeas and nays, establish a salary for its members not exceeding five hundred dollars each a year. Such salary may be reduced, but no increase therein shall be made to take effect during the year in which the increase is voted.

SECTION 3. There shall be placed upon the official ballot to be used at the biennial state election in said city in the current year the following questions: —

Question (1). "Shall the mayor of this city receive for his services such salary as the city council by ordinance shall determine, not exceeding thirty-five hundred dollars?"

Question (2). "Shall the city council of this city be authorized to establish, by a two thirds vote of all its members, a salary for its members not exceeding five hundred dollars each?"

If a majority of the votes in answer to Question (1) is in the affirmative, then section one of this act shall take full effect, but not otherwise.

If a majority of the votes in answer to Question (2) is in the affirmative, then section two of this act shall take full effect, but not otherwise. *Approved March 13, 1946.*

AN ACT RELATIVE TO THE ISSUE OF NOTES IN ANTICIPATION OF RECEIPTS FROM TAXES UNDER THE VETERANS' BONUS ACT, SO CALLED. *Chap.134*

Whereas, In order to obtain funds necessary to meet promptly the payments provided for by the veterans' bonus act, so called, it is essential that this act take effect forthwith, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. *Emergency preamble.*

Be it enacted, etc., as follows:

SECTION 1. Chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five is hereby amended by striking out section twelve and inserting in place thereof the following section:— *Section 12.* The state treasurer may borrow from time to time on the credit of the commonwealth, in anticipation of receipts from the taxes imposed by this act, such sums of money as may be necessary for the payment of the expenditures authorized thereby, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the amendments to the constitution of the commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and forty-nine.

SECTION 2. Said chapter seven hundred and thirty-one is hereby further amended by striking out section thirteen and inserting in place thereof the following section:— *Section 13.* The proceeds of taxes assessed under this act shall be used to meet the payments authorized hereunder or to pay principal and interest on account of notes issued under section twelve.

Approved March 14, 1946.

Chap.135 AN ACT PROVIDING FOR THE PAYMENT OF COMPENSATION TO MEMBERS OF THE SOUTH ESSEX SEWERAGE BOARD DURING THE PROSECUTION OF CERTAIN CONSTRUCTION WORK BY SAID BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and thirty-one of the acts of nineteen hundred and forty-five is hereby amended by inserting after section one the following section:— *Section 1A.* Each of the unpaid members of the board shall receive from the South Essex sewerage district during the prosecution of the construction work authorized by this act such compensation, at a rate of not more than five hundred dollars per annum, as the governor and council may determine.

SECTION 2. This act shall take effect upon its passage.

Approved March 14, 1946.

Chap.136 AN ACT AUTHORIZING THE BOSTON DISPENSARY TO GIVE, CONVEY AND TRANSFER CERTAIN OF ITS ASSETS TO THE BINGHAM ASSOCIATES FUND OF MASSACHUSETTS.

Be it enacted, etc., as follows:

The Boston Dispensary, a charitable corporation organized and existing under the laws of Massachusetts, is hereby

authorized and empowered to give, convey and transfer, with or without consideration therefor, to the Bingham Associates Fund of Massachusetts, a charitable corporation organized and existing under said laws, all land and interests in land owned by it which is situated in that part of the city of Boston bounded by Bennet street, Harrison avenue, Harvard street and Washington street, together with all buildings thereon and appurtenances thereto, including the building occupied by the Joseph H. Pratt Diagnostic Hospital, and together with all fixtures, appliances, equipment and personal property located in said building or used in connection with said hospital, and all moneys, securities, receivables, rights, privileges and intangible assets incidental to said hospital.

Approved March 14, 1946.

AN ACT REVIVING THE CORPORATION KNOWN AS BOSTON MEDICAL ENGINEERS, INC. Chap.137

Be it enacted, etc., as follows:

Boston Medical Engineers, Inc., a corporation dissolved by section one of chapter one hundred and eighty-seven of the acts of nineteen hundred and thirty-four, is hereby revived and continued with the same powers, duties and obligations as if said chapter had not been passed; provided, that the foregoing provisions of this act shall not take effect until there shall have been filed in the office of the commissioner of corporations and taxation an agreement satisfactory to said commissioner and to the mayor of the city of Boston, in form approved by the attorney general, for the payment in full of all taxes owed to the commonwealth and to said city by said corporation prior to its dissolution, whether or not subsequently abated as uncollectible, together with interest thereon to the date of payment.

Approved March 14, 1946.

AN ACT TO AUTHORIZE THE FIRST PARISH OF ROCHESTER TO CONVEY AND TRANSFER ITS REAL ESTATE AND PERSONAL PROPERTY TO THE FIRST CONGREGATIONAL CHURCH OF ROCHESTER, MASSACHUSETTS. Chap.138

Be it enacted, etc., as follows:

SECTION 1. The First Parish of Rochester, acting through its parish committee, is hereby authorized to grant, transfer, assign and convey all property, real and personal, owned or held by it to The First Congregational Church of Rochester, Massachusetts, a corporation duly established by the laws of the commonwealth; provided, that such conveyance and transfer is authorized by a majority present and voting at a meeting of the legal voters of the town of Rochester residing within the territorial limits of such parish, such meeting to be called and held as hereinafter stated.

SECTION 2. For the purposes stated in section one and in this section, the clerk of the First Parish of Rochester, as now organized, shall call a meeting of the legal voters

residing within the territorial limits of the First Parish of Rochester by posting a notice thereof, signed by him, not less than seven days before the day fixed for the meeting at three public places within the parish, one of which shall be the main entrance of said church. Such notice shall state the purposes of the meeting. The moderator of such First Parish as now organized shall preside and the clerk thereof shall keep the records. At this meeting, if the notice so provides, a majority of the legal voters present and voting may elect as members of the First Parish of Rochester any persons qualified by law to act as such members and may elect a moderator, a clerk, a treasurer and a parish committee of three or may ratify and confirm the election of such officers as made at the last annual meeting of the said First Parish.

SECTION 3. Upon the execution and delivery of the conveyances and transfers authorized by section one, title to all the property conveyed or transferred shall vest in The First Congregational Church of Rochester, Massachusetts, but subject to the same uses and purposes as it is now held by the First Parish of Rochester. All bequests, devises, conveyances and gifts heretofore or hereafter made to the First Parish of Rochester, however described, shall vest in The First Congregational Church of Rochester, Massachusetts.

Approved March 14, 1946.

Chap. 139 AN ACT PROVIDING FOR NON-PARTISAN PRELIMINARY, REGULAR AND SPECIAL ELECTIONS IN THE CITY OF WOBURN.

Be it enacted, etc., as follows:

SECTION 1. Except as otherwise provided herein, on the third Tuesday preceding every regular or special city election in the city of Woburn at which any elective municipal office is to be filled, there shall be held a preliminary election for the purpose of nominating candidates therefor; provided, that such preliminary election shall be held on the fourth Tuesday preceding every regular city election in said city so long as the provisions of section one hundred and three A of chapter fifty-four of the General Laws are operative therein. At every such preliminary election the polls shall be kept open during such hours as shall be fixed by the board of aldermen.

SECTION 2. Except as otherwise provided in section seven there shall not be printed on the official ballot to be used at any regular or special election in said city the name of any person as a candidate for any office unless such person has been nominated as such at a preliminary election for nomination, held as provided in this act. There shall not be printed on the official ballot for use at such preliminary election the name of any candidate for nomination at such election, unless he shall have filed, within the time limited by section three, the statement and petition therein described.

SECTION 3. Any person who is qualified to vote for a candidate for any elective municipal office in said city and who is a candidate for nomination thereto, shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election; provided, that at least twenty-one days prior to such preliminary election he shall file with the city clerk a statement in writing of his candidacy, and with it a petition signed in person by at least ten, or in case of a candidate for the office of mayor by at least one hundred, or in case of a candidate for the office of alderman-at-large or school committee by at least fifty, voters, qualified to vote for a candidate for the said office. Said statement and petition shall be in substantially the following form: —

STATEMENT OF CANDIDATE.

I (), on oath declare that I reside at (number if any) on (name of street) in the city of Woburn; that I am a voter therein, qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for the office of (name of office) for (state the term) to be voted for at the preliminary election to be held on Tuesday, the day of , nineteen hundred and , and I request that my name be printed as such candidate on the official ballot for use at said preliminary election.

(Signed)

Commonwealth of Massachusetts,

ss.

Subscribed and sworn to on this day of , nineteen hundred and before me,

(Signed)

*Justice of the Peace,
(or Notary Public).*

PETITION ACCOMPANYING STATEMENT OF CANDIDATE.

Whereas (name of candidate) is a candidate for nomination for the office of (state the office) for (state the term), we, the undersigned, voters of the city of Woburn, duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for nomination for said office be printed on the official ballot to be used at the preliminary election to be held on the Tuesday of , nineteen hundred and .

We further state that we believe him to be of good moral character and qualified to perform the duties of the office.

No acceptance by the candidate for nomination named in the said petition shall be necessary to its validity or its filing, and the petition, which may be on one or more papers, need not be sworn to.

SECTION 4. On the first day, other than Sunday or a legal holiday, following the expiration of the time for filing the above described statement and petition, the city clerk shall post in a conspicuous place in the city hall the names and residences of the candidates for nomination who have duly qualified as candidates for nomination, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, and shall cause the ballots which shall contain said names, in their order

as drawn by the clerk, and no others, with a designation of residence, and of the office and term of service, to be printed, and the ballots so printed shall be official and no others shall be used at the preliminary election. In drawings for position on the ballot the candidates shall have an opportunity to be present in person or by one representative each. Blank spaces shall be left at the end of each list of candidates for nomination for the different offices equal to the number to be nominated therefor, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomination for such office. There shall be printed on such ballots such directions as will aid the voter, as, for example: "vote for one", "vote for two", and the like, and the ballots shall be headed as follows:—

OFFICIAL PRELIMINARY BALLOT.

Candidates for nomination for the offices of () in the city of Woburn at a preliminary election to be held on the day of in the year nineteen hundred and

(The heading shall be varied in accordance with the offices for which nominations are to be made.)

No ballot used at a preliminary election shall have printed thereon any party or political designation or any statement indicating the views or opinions of any candidate.

SECTION 5. The election officers shall, immediately upon the closing of the polls at preliminary elections, count the ballots and ascertain the number of votes cast in the several voting places for each candidate, and forthwith make return thereof upon blanks to be furnished, as in regular elections, to the city clerk who shall canvass said returns and shall forthwith determine the result thereof, insert the same in one or more newspapers published in the city, and post the same in a conspicuous place in the city hall.

SECTION 6. The two persons receiving at a preliminary election the highest number of votes for nomination for an office shall, except as provided by section seven, be the sole candidates for that office whose names may be printed on the official ballot to be used at the regular or special election at which such office is to be filled, and no acceptance of a nomination at a preliminary election shall be necessary to its validity.

If two or more persons are to be elected to the same office at such regular or special election the several persons in number equal to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office shall, except as provided by section seven, be the sole candidates for that office whose names may be printed on the official ballot.

If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes, which, but for said tie vote, would entitle a person receiving the same to have his name printed upon the official ballot for the election, all candidates participating in said tie vote shall have their names printed upon the official

ballot, although in consequence there be printed thereon candidates to a number exceeding twice the number to be elected.

SECTION 7. If at the expiration of the time for filing statements of candidates to be voted for at any preliminary election not more than twice as many such statements have been filed with the city clerk for an office as are to be elected to such office, the candidates whose statements have thus been filed shall be deemed to have been nominated to said office, and their names shall be voted on for such office at the succeeding regular or special election, as the case may be, and the city clerk shall not print said names upon the ballot to be used at said preliminary election and no other nomination to said office shall be made. If in consequence it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of the city, no preliminary election shall be held in any such ward or wards.

SECTION 8. Preliminary elections in said city shall be subject to all general laws relative to elections, so far as the same are applicable thereto, except as otherwise expressly provided in this act.

SECTION 9. This act shall be submitted for acceptance to the registered voters of the city of Woburn at the biennial state election in the current year in the form of the following question, which shall be printed on the official ballot to be used in said city at said election: — "Shall an act passed by the general court in the current year, entitled 'An Act providing for Non-Partisan Preliminary, Regular and Special Elections in the City of Woburn', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect for the regular municipal election to be held in said city in the year nineteen hundred and forty-seven, and for all municipal elections in said city thereafter, but not otherwise.

Approved March 14, 1946.

AN ACT ESTABLISHING THE DATES FOR HOLDING THE BIENNIAL STATE PRIMARY IN THE YEAR NINETEEN HUNDRED AND FORTY-SIX, FOR THE FILING OF CERTIFICATES OF NOMINATION AND NOMINATION PAPERS FOR THE PURPOSES OF SAID PRIMARY AND ENSUING BIENNIAL STATE ELECTION AND FOR THE FILING OF PETITIONS OR PAPERS REQUIRING PUBLIC POLICY AND OTHER QUESTIONS TO BE PLACED ON THE OFFICIAL BALLOT FOR SAID ELECTION AND OTHERWISE FACILITATING VOTING BY ABSENT VOTING BALLOTS AT SAID ELECTION BY MASSACHUSETTS RESIDENTS IN THE ARMED FORCES OF THE UNITED STATES AND THOSE IN CERTAIN OTHER SERVICES ENGAGED IN FURTHERING THE WAR EFFORT, AND MAKING CERTAIN OTHER CHANGES IN THE LAWS RELATING TO ELECTIONS. *Chap.140*

Whereas, The purpose of this act is to protect residents of the commonwealth serving in or with the armed forces of Emergency preamble.

the United States, or serving in the merchant marine, in the exercise of their right of suffrage at the biennial state election in the year nineteen hundred and forty-six; and

Whereas, It is urgent that the advancing of the date of the biennial state primary in said year and certain other changes made by this act in the laws relating to elections take effect at once, so that such residents will be afforded sufficient opportunity to vote by absent voting ballots at said state election, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The biennial state primary in the current year shall be held on Tuesday, the eighteenth day of June, and all nomination papers and certificates of nomination to be filed with the state secretary for the purposes of said primary and of the biennial state election in said year shall be filed on or before five o'clock in the afternoon of Tuesday, the thirtieth day of April.

SECTION 2. No question of public policy, so called, shall be submitted at the biennial state election in the current year to the voters of any district under sections nineteen to twenty-two, inclusive, of chapter fifty-three of the General Laws, unless the application therefor shall have been filed with the state secretary on or before Friday, the seventh day of June.

SECTION 3. No other question which, under the provisions of any general or special law, is required to be placed on the official ballot for a biennial state election upon the filing of a petition or other paper with the state secretary shall be placed on the official ballot for the biennial state election in the current year unless the petition or other paper shall have been filed with said secretary on or before Friday, the seventh day of June.

SECTION 4. No objection to signatures appearing on an initiative or referendum petition shall be considered under section twenty-two A of chapter fifty-three of the General Laws unless such objection shall be filed within seventy-two week day hours succeeding five o'clock in the afternoon of the day on which signatures have been filed qualifying a measure for submission to the people at the biennial state election in the current year.

SECTION 5. The words "armed forces of the United States", as used in this act and, for the purposes of the biennial state election in the current year, the words aforesaid as used in chapter three hundred and ninety of the acts of nineteen hundred and forty-three, shall include persons serving in the merchant marine of the United States or civilians outside the United States officially attached to and serving with such armed forces.

SECTION 6. Notices under section forty-two of chapter fifty-three of the General Laws, relative to the holding of the

biennial state primary in the current year by wards, precincts or groups of precincts, shall be filed with the state secretary on or before the twenty-second day of April.

SECTION 7. The state secretary may prescribe and arrange or rearrange, and determine the location of, printed matter on absent voting ballots and envelopes and accompanying voting instructions to be provided for use at the biennial state election in the current year by members of the armed forces of the United States, and determine the size of such ballots, envelopes and instructions, the size of the type to be used thereon and the weight, color and kind of paper to be used therefor, in so far as may in his opinion be necessary for the purpose of facilitating voting by absent voting ballots by said members at said election, and may make such provision for the mailing and delivery of said ballots to said members, and may provide such suitable forms and blanks, as may in his opinion be necessary for such purpose.

The state secretary may take such steps, and do such things, of an administrative nature as in his opinion are necessary to make effective any provision of law facilitating voting by absent voting ballots by members of the armed forces of the United States at the biennial state election in the current year and to utilize fully any federal or other facilities afforded in connection with such voting.

SECTION 8. Any form of written communication from a member of the armed forces of the United States, evidencing a desire that an absent voting ballot be sent to him for use for voting at the biennial state election in the current year shall be given the same effect as an application for an absent voting ballot made in a form prescribed by law, and any such communication, whether or not in the form of an application so prescribed, shall, if such member of said armed forces is not a registered voter, also be given the same effect as an application for his registration made by kindred in compliance with chapter three hundred and ninety of the acts of nineteen hundred and forty-three. No such communication shall be adversely acted upon except after investigation by the registrars of voters or election commission or commissioners, as the case may be.

SECTION 9. Any action in connection with voting by state absent voting ballots which may lawfully be taken under chapter three hundred and ninety of the acts of nineteen hundred and forty-three or any other provision of law by, before or in the presence of an official authorized by law to administer oaths or a commissioned officer in the military or naval forces of the United States or by a clerk of a court of record may, in the case of voting by state absent voting ballots by members of the armed forces of the United States at the biennial state election in the current year, be taken with like effect by, before or in the presence of any commissioned or warrant officer, noncommissioned officer not below the rank of sergeant, or petty officer, in the military

or naval forces of the United States, or by, before or in the presence of any other person authorized to administer and attest oaths.

SECTION 10. The state convention of each political party, as defined in section one of chapter fifty of the General Laws, to be held in the current year shall be held on such date, not later than September twenty-first, as may be determined by the state committee of such party. Upon determination of such date by such a committee, its chairman and secretary shall forthwith give written notice thereof to the state secretary.

SECTION 11. No mere informality in the manner of carrying out any provision of law affecting voting by absent voting ballots by members of the armed forces of the United States at the biennial state election in the current year shall invalidate such election or constitute sufficient cause for the rejection of the returns thereof; and such provisions shall be construed liberally to effectuate their purposes.

SECTION 12. The various provisions of this act are hereby declared to be separable; and if any provision of this act or the application of any provision thereof to any person or circumstance shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

SECTION 13. Section eighty-seven of chapter fifty-four of the General Laws, as appearing in the Tercentenary Edition thereof, is hereby amended by striking out clause (e) and inserting in place thereof the following: —

(e) The state secretary shall furnish such explanatory matter and instructions as he may deem appropriate to carry into effect the purposes of sections eighty-six to one hundred and three, inclusive.

SECTION 14. Section ninety of chapter fifty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby repealed.

SECTION 15. Section fifty-five of chapter fifty-one of the General Laws, as most recently amended by section twenty-nine of chapter four hundred and fifty-three of the acts of nineteen hundred and forty-three, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — Notwithstanding the foregoing, the voting lists to be used at presidential primaries or any primary or election held prior to July first in any year may be that of the year preceding, revised as aforesaid.

Approved March 14, 1946.

Chap. 141 AN ACT RELATIVE TO THE MAKING AND FURNISHING BY ASSESSORS OF CERTAIN STATEMENTS AND INFORMATION TO THE STATE TREASURER UNDER THE VETERANS' BONUS ACT, SO-CALLED.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to immediately authorize

assessors of the several cities and towns to designate certain persons to act in their behalf relative to statements and information to be delivered or furnished to the state treasurer under the so-called veterans' bonus act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section four of chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five is hereby amended by adding at the end the following sentence:— The assessors of a city or town may certify to the state treasurer that they have designated an employee in their office to make the written statements and to furnish the information herein required, and thereafter statements made and information furnished by such employee shall have the same effect as if made or furnished by an assessor.

Approved March 14, 1946.

AN ACT AUTHORIZING THE TRANSFER OF THE ASSETS AND DISSOLUTION OF THE OXFORD HOME FOR AGED PEOPLE. Chap. 142

Be it enacted, etc., as follows:

SECTION 1. The Oxford Home for Aged People, a Massachusetts corporation duly organized by law, is hereby authorized, by a vote of the corporation, to transfer to the town of Oxford, and said town is hereby authorized to receive, all of the funds and property of said corporation, subject, however, to its liabilities, if any, within thirty days after the acceptance of an offer so to transfer to the town, voted at any town meeting which may be called within six months after the effective date of this act, and thereafter said town may hold and maintain said funds and property.

SECTION 2. Upon such transfer, a certificate thereof shall be furnished by the clerk of said corporation to the state secretary, and said corporation shall be thereupon dissolved, subject to sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws.

SECTION 3. Upon such transfer, said town shall, but only to the extent of funds so transferred to it, assume and pay any debt or liability of said corporation now or hereafter existing. Said town may commence, prosecute or defend any suit pending or hereafter brought by or against said corporation.

SECTION 4. After such transfer, the property so transferred, which shall be known as the Oxford Home for Aged People Charity Fund, shall be held by said town upon the same trusts, uses and purposes as if the same had continued to be held by said corporation, the income only to be expended from time to time for the comfort, maintenance, support, assistance, benefit or convenience of deserving aged residents of said town under the direction and approval of a board of three trustees, to consist of the chair-

man of the board of selectmen, the chairman of the finance committee, and the chairman of the board of public welfare of the town, unless he be also a trustee by virtue of holding one of the other chairmanships, in which case the third trustee shall be some other member of, and elected by, said board of public welfare.

SECTION 5. All gifts, grants, bequests and devises made or accruing to or for the benefit of said corporation after the transfer of its property as hereinbefore provided, shall vest in said town, unless the terms of said gift, grant, bequest or devise, or the carrying out of the provisions thereof, shall otherwise require.

SECTION 6. The power granted in this act shall be exercised only in conformity with such a decree, if any, of the probate court for the county of Worcester, sitting in equity, or of any other court of competent jurisdiction, as may be entered within six months after the effective date of this act; provided, that all the authority conferred by this act is hereby declared to be limited to such authority as the general court may constitutionally grant.

Approved March 14, 1946.

Chap. 143 AN ACT CHANGING THE TIME FOR THE HOLDING OF BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

Chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-eight is hereby amended by striking out section one, as amended by section one of chapter two hundred and thirty-eight of the acts of nineteen hundred and thirty-one, and inserting in place thereof the following section:— *Section 1.* Municipal elections in the city of Chelsea shall take place biennially on the Tuesday next following the first Monday of November in every odd-numbered year beginning with the year nineteen hundred and forty-seven.

Approved March 14, 1946.

Chap. 144 AN ACT REGULATING THE DISPOSITION OF RECEIPTS FROM THE WITCH HOUSE, SO-CALLED, AND OTHER PROPERTIES MAINTAINED BY THE BOARD OF PARK COMMISSIONERS OF THE CITY OF SALEM.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the board of park commissioners of the city of Salem shall deposit with the city treasurer all moneys received from admission fees charged visitors to the Witch House, so-called, situated at the corner of North and Essex streets in said city, from the sale of souvenirs and other articles thereat, and from admissions to any other properties of historical interest under the control of said commissioners. Such deposits shall be set up in a separate account to be known as

“Fund, Receipts from Witch House.” Expenditures from said account shall, subject to appropriation, be made from said fund for completing the payment of the cost of restoration of said house and maintaining and operating the house and grounds thereafter and for the maintenance of any other buildings of historical importance under the control of said commissioners.

Approved March 14, 1946.

AN ACT AUTHORIZING THE PROVISIONAL APPOINTMENT OF WOMEN VETERANS UNDER THE CIVIL SERVICE LAWS.

Chap. 145

Whereas, The deferred operation of this act would tend to defeat one of its principal purposes which is to make women veterans of World War II eligible immediately for provisional appointments under the civil service laws, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section twenty-five of chapter thirty-one of the General Laws, as amended, is hereby further amended by striking out, in the ninth and tenth lines, as appearing in the Tercentenary Edition, the words “This section shall not apply to requisitions calling for women.”, — so as to read as follows: — *Section 25.* If there is no suitable eligible list from which to certify to fill a requisition, the director shall authorize the appointing officer to make provisional appointment of a veteran, and shall send to the appointing officer the names and addresses of veterans who have filed applications for the kind of work for which requisition is made, and the position shall be filled provisionally by the appointment of a veteran. If, however, the appointing officer cannot find a veteran qualified for the position who will accept, he may with the approval of the director, appoint provisionally some other person.

G. L. (Ter.
Ed.), 31, § 25,
etc., amended.

Provisional
appointment of
veteran in
absence of
eligible lists.

Approved March 16, 1946.

AN ACT ABOLISHING CERTAIN RESTRICTIONS ON THE GRANTING OF NEW LICENSES WITHIN THE CITY OF REVERE FOR THE TRANSPORTATION OF PASSENGERS BY MOTOR VEHICLE FOR HIRE.

Chap. 146

Be it enacted, etc., as follows:

SECTION 1. So much of the provisions of section four of chapter two hundred and ninety-nine of the acts of nineteen hundred and thirty-two as provides that no new license or licenses within the cities of Chelsea and Revere for the operation of motor vehicles under the provisions of chapter one hundred and fifty-nine A of the General Laws shall be valid unless and until the department of public utilities issues a certificate that the granting of such license or licenses will not injuriously affect the revenue of the Boston Elevated

Railway Company shall not be operative with respect to those sections of the city of Revere lying north of Revere street, commonly known as the Oak Island and Point of Pines sections of said city.

SECTION 2. Chapter one hundred and sixty-two of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 16, 1946.

Chap. 147 AN ACT REVIVING DANE MACHINE COMPANY, INCORPORATED, FOR CERTAIN PURPOSES.

Emergency
preamble.

Whereas, The deferred operation of this act would delay the conveyance of certain property by the corporation revived thereby and it is essential that such conveyance be effected as soon as possible; therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Dane Machine Company, Incorporated, a corporation dissolved by section one of chapter one hundred and forty-eight of the acts of nineteen hundred and thirty-three, is hereby revived and continued for the sole purpose of selling and conveying title to certain property situated in the city of Salem and of distributing the proceeds of said sale among those entitled thereto.

Approved March 16, 1946.

Chap. 148 AN ACT RELATIVE TO THE EXPENSE OF SUPPORTING PRISONERS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 127, § 125,
amended.

Section one hundred and twenty-five of chapter one hundred and twenty-seven of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fourth line, the word "shall" and inserting in place thereof the word: — may, — so as to read as follows: — *Section 125.* The expense of supporting a prisoner transferred from a jail or house of correction in one county to another, removed from the state farm to a house of correction, or sentenced to a jail or house of correction in a county other than that in which he was convicted, may be paid by the county where he was sentenced. If the amount to be paid cannot be agreed upon by the county commissioners of the two counties, it may be determined by the superior court sitting in either county.

Approved March 16, 1946.

Expense
of support.

AN ACT AUTHORIZING PARTICIPATION BY OTHER CHARITABLE
CORPORATIONS WITH THE BOSTON DISPENSARY, THE BOSTON
FLOATING HOSPITAL AND THE TRUSTEES OF TUFTS COLLEGE
IN AN ALLIANCE FORMED FOR THE PURPOSE OF ESTABLISH-
ING, MAINTAINING AND OPERATING IN COMMON A MEDICAL
CENTER. Chap. 149

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter forty of the acts of nineteen hundred and thirty is hereby amended by inserting after the word "Massachusetts" in the fourth line the words: — , and such other charitable corporations heretofore or hereafter organized under said laws as may be mutually agreed upon, — so as to read as follows: — *Section 1.* The Boston Dispensary, The Boston Floating Hospital and the Trustees of Tufts College, three charitable corporations organized and existing under the laws of Massachusetts, and such other charitable corporations heretofore or hereafter organized under said laws as may be mutually agreed upon, in furtherance of their respective corporate purposes, are hereby authorized and empowered to form an alliance for, and otherwise co-operate in, establishing, maintaining and operating a medical center under the supervision of an administrative board composed of representatives from each of said corporations, and to render mutual services and operate one or more plants in common in connection with such medical center.

SECTION 2. Section two of said chapter forty is hereby amended by striking out, in the twelfth line, the words "one third" and inserting in place thereof the words: — an equal part, — so as to read as follows: — *Section 2.* Said corporations are hereby authorized and empowered to enter into such mutual agreement or agreements, to take such other action, and to acquire and hold, either separately, jointly or as tenants in common, such real and personal property, as they may respectively deem necessary or desirable for the accomplishment of the objects set forth in section one; provided, however, that none of said corporations shall exceed the limits imposed by law upon the amount of property which each may acquire and hold, and for the purpose of computing said limits each of said corporations shall, in the absence of an agreement between them to the contrary, be considered as holding an equal part of any property owned jointly or in common as aforesaid; and said corporations respectively are hereby further authorized and empowered to expend such of their funds, not restricted to other purposes, as they may respectively deem necessary or desirable to accomplish any of the objects set forth in this act.

Approved March 16, 1946.

Chap. 150 AN ACT RELATIVE TO THE DISPOSAL OF OBSOLETE AND USELESS PAPERS AND RECORDS OF COUNTY COMMISSIONERS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 221, § 27A, etc., amended.

Rules pertaining to destruction of obsolete papers.

Section twenty-seven A of chapter two hundred and twenty-one of the General Laws, as amended by section one of chapter three hundred and twenty-three of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "commonwealth" in the fourth and fifth lines the words: — or in the custody of any of the clerks of the courts acting in the capacity of clerk of the county commissioners, — and by striking out the last sentence of the last paragraph of said section and inserting in place thereof the following sentence: — In the case of the disposal or destruction of records or papers of county commissioners in the custody of any of the clerks of the courts acting in the capacity of clerk of the county commissioners such disposal or destruction shall be subject to the joint supervision of the superior court and of the chairman of the county commissioners for the county, — so as to read as follows: — *Section 27A.* The supreme judicial court may by rule or order provide for the disposal by destruction or otherwise of obsolete and useless papers or records which have been filed or deposited in any court of the commonwealth or in the custody of any of the clerks of the courts acting in the capacity of clerk of the county commissioners and of obsolete and useless notes of testimony that have been preserved in any such court, but subject, except with respect to such notes, to the following requirements: —

(1) Any cause to which the papers relate, if they relate to a cause, shall have been finally disposed of for more than twenty years.

(2) No original paper bearing date or known to have been filed earlier than the year eighteen hundred shall be destroyed.

(3) Reasonable notice to the public shall be given before any such disposal is made of any paper.

Any rule or order under authority of this section may provide for the method of proof in other causes of the contents of papers disposed of hereunder, and shall govern such proof, notwithstanding any statutory provision requiring any different method of proof.

The destruction of papers relating to matters heard before a trial justice or other magistrate, or old records of notaries public which are kept in any court in the commonwealth, is within the authority provided by this section.

In any rule or order of the supreme judicial court under this section for disposal or destruction of papers preserved in any particular court or clerk's office or storage place, the action so authorized shall be subject to the supervision of the court in which the papers are preserved and no papers shall be so disposed of or destroyed without an order of such

court, and in the case of a district court, without an order of the standing justice of such district court. Exceptions from any general description of papers to be destroyed may be made at any time. In the case of the disposal or destruction of records or papers of county commissioners in the custody of any of the clerks of the courts acting in the capacity of clerk of the county commissioners such disposal or destruction shall be subject to the joint supervision of the superior court and of the chairman of the county commissioners for the county.

Approved March 16, 1946.

AN ACT EXEMPTING THE SWIFT & COMPANY EMPLOYEES BENEFIT ASSOCIATION FROM ALL PROVISIONS OF GENERAL AND SPECIAL LAWS RELATIVE TO INSURANCE AND TO FRATERNAL BENEFIT SOCIETIES.

Chap.151

Be it enacted, etc., as follows:

Swift & Company Employees Benefit Association, established under a deed of trust dated July first, nineteen hundred and seven, is hereby exempted from all provisions of general and special laws relative to insurance and to fraternal benefit societies.

Approved March 16, 1946.

AN ACT PROVIDING THAT HEARINGS OF THE DEPARTMENT OF PUBLIC HEALTH MAY BE HELD BY THE COMMISSIONER OR BY A DIVISION DIRECTOR OF SAID DEPARTMENT.

Chap.152

Be it enacted, etc., as follows:

Chapter one hundred and eleven of the General Laws is hereby amended by striking out section three, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 3.* The council shall make and promulgate rules and regulations, take evidence in appeals, consider plans and appointments required by law, hold hearings, and discharge other duties required by law; but it shall have no administrative or executive functions. Hearings of the department may be held by the commissioner, or by the director of a division of the department if so authorized by the commissioner and council.

G. L. (Ter. Ed.), 111, § 3, amended.

Certain duties of the public health council.

Approved March 18, 1946.

AN ACT MAKING AN APPROPRIATION FOR CERTAIN EXPENSES OF PRIMARY AND OTHER ELECTIONS.

Chap.153

Be it enacted, etc., as follows: —

SECTION 1. The sum herein set forth, for the purposes herein specified, is hereby appropriated from the general fund or revenue of the commonwealth, subject to the provisions of law regulating the disbursement of public funds and the

approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and forty-six.

Service of the Secretary of the Commonwealth.

Item		
0504-01	For personal and other services in preparing for primary elections, including not more than one permanent position, and for the expenses of preparing, printing and distributing ballots for primary and other elections, to be in addition to any amount heretofore appropriated for the purpose; provided, that any unexpended balance of the amount hereby appropriated remaining on June thirtieth in the current year shall be available for the purpose for the fiscal year ending June thirtieth, nineteen hundred and forty-seven, in addition to amounts otherwise made available therefor	\$106,000 00

SECTION 2. This act shall take effect upon its passage.
Approved March 19, 1946.

Chap. 154 AN ACT MAKING CERTAIN CHANGES IN THE LAWS RELATING TO CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 170, § 36A, etc., amended.

SECTION 1. Section thirty-six A of chapter one hundred and seventy of the General Laws, as amended, is hereby further amended by striking out the second paragraph, as appearing in section one of chapter two hundred and ninety-three of the acts of nineteen hundred and forty-one, and inserting in place thereof the following paragraph:—

Direct reduction loans by co-operative banks.

No such loan shall have a term of more than twenty years, nor shall such loan exceed eighty per cent of the value of the mortgaged property as certified by the security committee of such corporation. No such loan upon any one parcel of real estate so mortgaged shall exceed twelve thousand dollars. The aggregate amount of such loans as to each of which the unpaid balance of principal outstanding is more than eight thousand dollars made by any such corporation shall not at any time exceed twenty per cent, nor shall the aggregate amount of such loans as to each of which the unpaid balance of principal outstanding is more than ten thousand dollars made by any such corporation at any time exceed five per cent, of the aggregate amount of all loans secured by mortgages of real estate held by such corporation.

G. L. (Ter. Ed.), 170, § 36D, etc., amended.

SECTION 2. Section thirty-six D of said chapter one hundred and seventy, inserted by section one of said chapter two hundred and ninety-three, is hereby amended by adding at the end the following paragraph:—

So much of monthly payments as would otherwise be credited to

With the approval of the board of directors of any such corporation, at the request of the owner of the equity of redemption and upon certification of the security committee

of such corporation that the then balance of the amount due does not exceed sixty per cent of the value of the mortgaged premises, so much of the monthly payments as would otherwise be credited to principal may be reduced or waived for any period of time, but subject nevertheless to the provisions of the last sentence of this paragraph; provided, that such change shall be evidenced by an instrument setting forth such change, payments and mortgage extension. No loan or mortgage shall be changed under the provisions of this paragraph if thereby the total amount of loans so changed and held by such corporation would be increased to an amount in excess of fifteen per cent of the aggregate amount of direct reduction loans held by such corporation. Every parcel of real estate mortgaged to secure a loan so changed shall be revalued, at intervals of not more than three years so long as it is so mortgaged, by at least two members of the security committee of the corporation, who shall certify in writing according to their best judgment the value of the real estate so mortgaged. Such reports shall be filed and preserved with the records of the corporation. If at the time of any such revaluation, the amount outstanding on a loan so changed is in excess of sixty per cent of the value of the real estate mortgaged to secure the same, a reduction in the amount of such loan shall be required, as promptly as may be practicable, sufficient to bring its amount within sixty per cent of said value; provided, that no such reduction shall be required prior to the maturity of the loan without the acquiescence of the borrower.

principal may
be reduced
or waived,
subject, etc.

SECTION 3. Said chapter one hundred and seventy is hereby further amended by striking out section thirty-one, as appearing in chapter one hundred and forty-four of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following section: — *Section 31.* If at any time the board of directors, by a two thirds vote of all the directors, elect to reduce the rate of interest for any period of time on any outstanding real estate loans, a new mortgage shall not be required nor shall the existing mortgage be impaired or otherwise affected by such vote and action under such vote, and thereafter the borrower shall make the monthly payments on the loan in accordance with the terms and conditions of such vote.

G. L. (Ter.
Ed.), 170, § 31,
etc., amended.

Agreement for
reduction of
interest.

SECTION 4. Said chapter one hundred and seventy is hereby further amended by striking out section forty-three A, inserted by chapter seventy-seven of the acts of nineteen hundred and forty-three, and inserting in place thereof the following section: — *Section 43A.* Such corporation may, under regulations made by the commissioner, sell negotiable checks drawn by or on it and payable by or through a trust company or a national banking association, and American Express Company money orders and travelers cheques.

G. L. (Ter.
Ed.), 170,
§ 43A, etc.,
amended.

Sale of checks
by co-opera-
tive banks.

SECTION 5. Said chapter one hundred and seventy is hereby further amended by striking out section fifty-six, as appearing in chapter one hundred and forty-four of the

G. L. (Ter.
Ed.), 170, § 56,
etc., amended.

Membership in
Federal Home
Loan Bank.

acts of nineteen hundred and thirty-three, and inserting in place thereof the following section: — *Section 56.* Any corporation subject to this chapter may become a member of the Federal Home Loan Bank established for the district of New England under the provisions of an act of congress, approved July twenty-second, nineteen hundred and thirty-two, and known as the federal home loan bank act, or of any successor of said bank so established; and may, subject otherwise to the provisions of this chapter, subscribe to and invest in the stock of said home loan bank in amounts which in the aggregate shall not exceed three times the amount of said stock that may be required by said act of congress to qualify such corporation for membership in said home loan bank.

G. L. (Ter.
Ed.), 170, § 6,
subsection
(h), etc.,
amended.

SECTION 6. Subsection (h) of section six of said chapter one hundred and seventy, as appearing in chapter one hundred and forty-four of the acts of nineteen hundred and thirty-three, is hereby amended by adding at the end the following: — , and the charges, if any, to be made upon anticipatory repayment of loans, — so as to read as follows: —

By-Laws.

(h) The proportion of profits, if any, to be reserved upon voluntary withdrawals, and the charges, if any, to be made upon anticipatory repayment of loans.

Approved March 19, 1946.

Chap. 155 AN ACT AMENDING THE DEFINITION OF, AND FURTHER REGULATING, BACTERIOLOGICAL LABORATORIES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 111,
§ 184A, etc.,
amended.

SECTION 1. The second paragraph of section one hundred and eighty-four A of chapter one hundred and eleven of the General Laws, inserted by chapter three hundred and forty-four of the acts of nineteen hundred and thirty-nine, is hereby amended by adding at the end the words: — , or of the body of persons who are to serve as donors or recipients of blood or derivatives of blood, — so as to read as follows: —

Term "bac-
teriological
laboratory"
defined.

For the purposes of this section, a bacteriological laboratory is defined to be a place or establishment advertised, and maintained or purported to be maintained, in whole or in part, for the purpose of accepting for and subjecting to bacteriological or serological study or analysis, or both, specimens of blood, sputum, urine, feces or other fluids, secretions or excretions of the body of persons ill, or suspected of being ill, with a disease dangerous to the public health, or of the body of persons who are to serve as donors or recipients of blood or derivatives of blood.

G. L. (Ter.
Ed.), 111,
§ 184A, etc.,
further
amended.
Authority
to grant
certificates.

SECTION 2. Said section one hundred and eighty-four A is hereby further amended by adding at the end the following paragraph: —

The department is hereby further authorized to grant certificates of approval for laboratory tests upon milk, foods, eating utensils, water and sewage in accordance with such

rules and regulations as the department may establish under the authority granted above. Only one certificate and one fee shall be required for all of the tests mentioned in this section.

Approved March 19, 1946.

AN ACT PROVIDING FOR PARTY NOMINATIONS FOR ELECTIVE
MUNICIPAL OFFICERS IN THE CITY OF FITCHBURG. Chap.156

Be it enacted, etc., as follows:

SECTION 1. So much of section sixteen of chapter forty-three of the General Laws as provides that no primary or caucus for municipal officers shall be held in cities governed under a standard form of city charter provided for in said chapter forty-three shall not apply in the city of Fitchburg.

SECTION 2. Nominations of candidates for municipal elective office in said city shall be made by nomination papers as provided in section six of chapter fifty-three of the General Laws and by political parties in primaries held in accordance with sections twenty-three to forty A and fifty-seven to sixty-four, all inclusive, of said chapter fifty-three.

SECTION 3. The provisions of section fifty-three A of said chapter fifty-three relative to filing objections to nominations at state primaries and to the withdrawal of names from nomination shall apply in the case of nominations at city primaries in said city except that such objections or withdrawals shall be filed with the city clerk.

SECTION 4. The provisions of law relative to the signing of nomination papers of candidates for state office, and to the identification and certification of names thereon and submission to the registrars therefor, shall apply, so far as apt, to the signing of petitions under this act and to the identification and certification of such names.

SECTION 5. This act shall be submitted to the registered voters of the city of Fitchburg at the biennial state election in the current year in the form of the following question, which shall be placed on the official ballot for use in said city at said election: — "Shall an act passed by the general court in the current year, entitled 'An Act providing for party nominations for elective municipal officers in the city of Fitchburg', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved March 22, 1946.

AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO REGULATE
THE PARKING OF VEHICLES IN CERTAIN PRIVATE WAYS. Chap.157

Be it enacted, etc., as follows:

The town of Brookline is hereby authorized to make by-laws, not repugnant to law, prohibiting or regulating the leaving of vehicles unattended within the limits of private ways within said town which furnish means of access for fire

apparatus or other vehicles used for services required in behalf of the public health, safety and morals to any part of a tenement house, as defined in section two of chapter one hundred and forty-five of the General Laws, or to two or more dwelling houses or two or more buildings of any type in separate ownership, in said town.

Approved March 22, 1946.

Chap. 158 AN ACT EXEMPTING THE ALL-RISK TYPE OF INSURANCE POLICIES COMMONLY KNOWN AS PERSONAL PROPERTY FLOATER FROM BEING FILED WITH AND APPROVED BY THE COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 22A, etc., amended.

Coverage of fire policies extended.

The first paragraph of section twenty-two A of chapter one hundred and seventy-five of the General Laws, as amended by chapter two hundred and thirty-four of the acts of nineteen hundred and thirty-five, is hereby further amended by adding at the end the following sentence:— The provisions of this paragraph shall not apply to policies authorized by section fifty-four D,— so as to read as follows:— No company shall issue any policy of insurance which provides coverage against loss or damage caused by hazards specified in more than one of the clauses of section forty-seven, until a copy of the form of the policy has been on file for thirty days with the commissioner, unless before the expiration of said thirty days he shall have approved the form of the policy in writing; nor if the commissioner notifies the company in writing within said thirty days that the form of the policy does not comply with the laws of the commonwealth, specifying his reasons therefor, provided that the opinion of the commissioner shall be subject to review by the supreme judicial court; but nothing in the foregoing provisions of this section shall permit the incorporation in the standard fire policy, prescribed by section ninety-nine, or any policy issued under section one hundred and two A, one hundred and eleven A or one hundred and seventeen A or any policy subject to section one hundred and eight, or one hundred and thirteen A, or one hundred and thirty-two, of any coverage not otherwise permitted by this chapter to be incorporated therein. The provisions of this paragraph shall not apply to policies authorized by section fifty-four D.

Approved March 22, 1946.

Chap. 159 AN ACT RELATIVE TO THE HOURS OF DUTY OF POLICE OFFICERS OF THE CITY OF WOBURN.

Be it enacted, etc., as follows:

SECTION 1. The hours of duty for a day officer in the police department of the city of Woburn shall be as follows:— Eight A.M. until six P.M. with one hour off for meals.

SECTION 2. There shall be two shifts for night officers in the police department of the city of Woburn as follows:—

Six P.M. until one A.M. with no lunch hour. One A.M. until eight A.M. with no lunch hour.

SECTION 3. In emergencies officers shall work regardless of stated hours until such time as the emergency ceases to exist.

SECTION 4. This act shall be submitted for acceptance to the registered voters of the city of Woburn at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the general court in the year nineteen hundred and forty-six, entitled 'An Act relative to the hours of duty of police officers of the city of Woburn', be accepted?" If a majority of the votes cast on said question is in the affirmative this act shall take full effect on January first, nineteen hundred and forty-seven, but not otherwise.

Approved March 22, 1946.

AN ACT PROVIDING FOR CONTINUOUS REGISTRATION OF VOTERS IN CERTAIN TOWNS. Chap.160

Be it enacted, etc., as follows:

Section thirty-three of chapter fifty-one of the General Laws, as amended by chapter two hundred and forty-six of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the paragraph inserted by said chapter two hundred and forty-six and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 51, § 33, etc., amended.

In cities, and in towns having six hundred or more registered voters, any person shall be registered as aforesaid during regular business hours on application except during such times as registration is not permitted by law.

Continuous registration of voters.

Approved March 22, 1946.

AN ACT PERMITTING THE CITY OF CAMBRIDGE TO USE SURPLUS INCOME OF THE WATER DEPARTMENT UNDER CERTAIN CONDITIONS. Chap.161

Be it enacted, etc., as follows:

SECTION 1. Chapter forty-three of the Special Acts of nineteen hundred and eighteen is hereby repealed.

SECTION 2. The income received by the city of Cambridge from its water works shall be applied to meet the expenses incurred for maintenance and operation, renewals, extensions, additions and improvements of said works, interest, sinking fund and debt requirements. The sinking fund requirements shall be calculated annually and such an amount annually paid over to the sinking fund commissioners as, with its accumulations, together with the existing fund, will be sufficient to meet all water works debts issued and outstanding for which sinking fund requirements are being accumulated.

SECTION 3. Notwithstanding the provisions of section two, whenever the surplus income of the water works shall exceed the sum of three hundred thousand dollars, such excess may be used by the city of Cambridge for any purpose for which the city may borrow under sections seven and eight of chapter forty-four of the General Laws under the following conditions: —

(a) The city auditor of the city of Cambridge and the director of accounts of the commonwealth shall both certify the amount of the surplus income.

(b) Appropriations from the amount thus certified, so far as such amount is in excess of three hundred thousand dollars, shall be made, upon the recommendation of the Cambridge water board and the city manager, by the city council of the city of Cambridge. *Approved March 22, 1946.*

Chap. 162 AN ACT AUTHORIZING THE RESTORATION OF MICHAEL J. CAREY TO THE ELIGIBLE LIST FOR POLICE OFFICERS IN THE CITY OF NEWBURYPORT.

Be it enacted, etc., as follows:

SECTION 1. The director of civil service is hereby authorized and directed, at the request of the mayor of the city of Newburyport, to restore Michael J. Carey to the eligible list for police officers in the police department of said city without examination and in accordance with the civil service law and rules, if and when an eligible list is established for said city.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter, but not otherwise. *Approved March 22, 1946.*

Chap. 163 AN ACT ESTABLISHING THE SALARY OF THE MAYOR OF THE CITY OF WOBURN.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-two of the acts of eighteen hundred and ninety-seven is hereby amended by striking out section twenty-four and inserting in place thereof the following section: — *Section 24.* The salary of the mayor shall be three thousand dollars per annum.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Woburn at the biennial state election in the current year in the form of the following question which shall be placed upon the official ballot to be used in said city at said election: — “Shall an act passed by the general court in the year nineteen hundred and forty-six, entitled ‘An Act relative to the salary of the mayor of the city of Woburn’, be accepted?” If a majority of the votes cast on said question is in the affirmative, this act shall take full effect on the first Monday of January in the year nineteen hundred and forty-eight, otherwise it shall have no effect. *Approved March 22, 1946.*

AN ACT RELATIVE TO THE PAYMENT OF THE COST OF CON-
STRUCTION OF PARTICULAR SEWERS AND CONNECTING
DRAINS IN THE CITY OF BROCKTON. *Chap. 164*

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton, through its board of sewer commissioners, may, upon request of the owner of any estate abutting on any way where a main drain or common sewer is constructed, lay in such sewered way and in the private land of such owner such particular sewer or connecting drain as may be necessary to connect any building on such estate with such main drain or sewer, and said board may make all necessary contracts in the name and behalf of the city for such purpose. The expenses thereof shall be paid out of any appropriation that may be made by the city therefor.

SECTION 2. The cost of constructing each particular sewer or connecting drain shall be assessed by the board of sewer commissioners upon the estate benefited thereby. Such assessment shall be made by filing with the board of assessors of the city a certificate, designating the way and the private land in which such particular sewer or connecting drain has been constructed, and giving the name or names of the owners of the estate for which such connection has been made and the amount of the assessment to be paid by such owner or owners. A copy or duplicate of this certificate shall, within ten days after the filing of the same with the board of assessors, be recorded in the registry of deeds for the county of Plymouth, or, in the case of registered land, filed in the office of the assistant recorder for Plymouth county registry district. The board of assessors shall, upon receipt of such certificate, forthwith commit such assessments or charges with their warrant to the collector of taxes, who shall forthwith make a demand in writing for the payment of such assessments or charges, and every owner shall, within three months after such demand is served upon him or on the occupant of such estate, or sent by mail to the last address of the owner known to the collector of taxes, pay to the collector of taxes the sum so assessed or charged.

SECTION 3. Except as herein provided, the provisions of general law relative to the assessment, apportionment, division, re-assessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this act. In applying said provisions to assessments made under the act, the notice referred to therein shall be deemed to be the demand of the tax collector required by section two hereof. The lien for any assessment made under this act shall attach upon the recording or filing for registration of the copy or duplicate of the certificate of assessment. In the apportionment of assessments made under this act, no instalment shall be less than five dollars.

SECTION 4. This act shall take full effect upon its acceptance by vote of the city council of the city of Brockton, subject to the provisions of its charter, but not otherwise.

Approved March 22, 1946.

Chap. 165 AN ACT PROVIDING FOR EXTENDED SCHOOL SERVICES FOR CERTAIN CHILDREN OF CERTAIN EMPLOYED MOTHERS.

Emergency
preamble.

Whereas, It is essential that the new program of extended school services for certain children of certain employed mothers provided for by this act take effect immediately, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc, as follows:

G. L. (Ter.
Ed.), 71, new
§§ 26A-26F,
added.

School service
for certain
children of
certain em-
ployed mothers.

SECTION 1. Chapter seventy-one of the General Laws is hereby amended by inserting after section twenty-six, under the caption EXTENDED SCHOOL SERVICES FOR CERTAIN CHILDREN OF CERTAIN EMPLOYED MOTHERS, the six following sections;— *Section 26A.* If the school committee of a town determines that sufficient need exists therein for extended school services for children, between three and fourteen years of age, of mothers who are employed, and whose employment is determined by said committee to be necessary for the welfare of their families, said school committee, subject to section twenty-six B, and with the approval of the city council or selectmen may establish and maintain such services.

Commissioner
of education
to approve.

Section 26B. If said school committee, upon determination by it of sufficient need, votes that said services should be established by it in such town upon approval of the city council or selectmen, it shall submit in writing a plan of said services to the commissioner of education for his written approval; provided, that said extended school services proposed in said plan shall consist of such care as shall be determined by standards established by said commissioner in consultation with the state department of public health and shall be operated by said school committee under the general supervision of said commissioner; and, provided further, that said school committee shall establish as one of the rules of admission of any such child to the benefits of said extended school services that the parents of such child shall pay toward the cost of said services such sum, not exceeding four dollars per week for such child, as said school committee shall determine, except that such payments in the case of children of pre-school age shall be at a weekly rate of not less than three dollars. For the purposes of clause (2) of section five of chapter forty, the establishment and maintenance of said extended school services shall be deemed to be included within the term "support of public schools".

Certain funds
available for
exclusive use.

Section 26C. The commonwealth and the school committee of any town may accept funds from the federal

government for the purposes of sections twenty-six A to twenty-six F, inclusive. The school committee of any town may receive contributions in the form of money, material, quarters or services for the purposes of said sections from organizations, employers and other individuals. Such contributions received in the form of money, together with fees from parents and any allotments received from the federal government for said purposes, shall be deposited with the treasurer of such town and held as a separate account and expended by said school committee without appropriation, notwithstanding the provisions of section fifty-three of chapter forty-four.

Section 26D. If a town shall have a written contract with the federal government whereby said government grants or offers such town a sum of money to be used with funds which may be provided in said town for the purposes of sections twenty-six A to twenty-six F, inclusive, and said town shall be required primarily to pay that portion of the expenses for which reimbursement is to be received from the grant, the treasurer of such town, with the approval of the mayor, or of the city manager, if any, or of the selectmen, as the case may be, in anticipation of the receipt of the proceeds of such grant, may incur debt, outside the debt limit, to an amount not exceeding the amount of the grant as shown by the agreement, and may issue notes therefor, payable in not exceeding one year from their dates. Any loan so issued for a shorter period than one year may be refunded by the issue of other notes maturing within the required period; provided, that the period from the date of issue of the original loan to the date of maturity of the refunding loan shall not be more than one year. The proceeds of the grant, so far as necessary, shall be applied to the discharge of the loan.

Borrowing in anticipation of federal funds authorized.

Section 26E. The commonwealth shall reimburse each town maintaining extended school services under sections twenty-six A to twenty-six F, inclusive, in an amount not greater than forty per cent of the salaries of persons employed in such maintenance which were paid from moneys appropriated by such town, but in no event more than twenty-five hundred dollars in any state fiscal year in the case of any one center whereat said services are maintained for children of pre-school age, and not more than fifteen thousand dollars in the aggregate in any such year in the case of all centers maintained for children by such town under sections twenty-six A to twenty-six F, inclusive.

Reimbursement by commonwealth.

Section 26F. Payments by the commonwealth to any town as part reimbursement for salary payments as provided in section twenty-six E shall be based upon the salary payments made by such town during the twelve months ending on the thirtieth day of June next preceding application therefor.

Basis of reimbursement.

SECTION 2. No payments shall be made by the commonwealth to any city or town under this act on account

of any salary payments made by such city or town prior to March first in the current year.

SECTION 3. Chapter four hundred and ninety-three of the acts of nineteen hundred and forty-three is hereby repealed.

Approved March 28, 1946.

Chap. 166 AN ACT RELATIVE TO THE ACCEPTANCE BY CITIES AND TOWNS OF CERTAIN PROVISIONS OF GENERAL LAW AUTHORIZING ANY CITY OR TOWN TO ESTABLISH THEREUNDER A CONTRIBUTORY RETIREMENT SYSTEM FOR ITS EMPLOYEES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to provide that certain cities and towns may immediately accept certain provisions of general law authorizing municipalities to establish contributory retirement systems for its employees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32, § 28,
etc., amended.

SECTION 1. Section twenty-eight of chapter thirty-two of the General Laws is hereby amended by striking out paragraph (2) (a), as appearing in section one of chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five, and inserting in place thereof the following paragraph: —

Acceptance by
cities or towns
having a retire-
ment system.

(2) (a) Sections one to twenty-eight, inclusive, may be accepted in any city or town which has established a contributory retirement system for its employees under the provisions of a special law but which has not accepted for such employees the applicable provisions of such sections or corresponding provisions of earlier laws; in a city by vote of the city council, approved by the mayor, and in a town by vote of the selectmen.

G. L. (Ter.
Ed.), 32, § 28,
etc., further
amended.

SECTION 2. Said section twenty-eight is hereby further amended by adding at the end of subdivision (2) the following paragraph: —

Prior service
credit.

(f) Any employee of a city or town who was specifically excluded from membership under the previously existing system, and who holds a position which would entitle him to membership under sections one to twenty-eight, inclusive, shall be entitled to prior service credit for service rendered prior to the acceptance of said sections.

G. L. (Ter.
Ed.), 32, § 28,
etc., amended.

SECTION 3. Said section twenty-eight is hereby further amended by striking out paragraph (3) (a), as so appearing, and inserting in place thereof the following paragraph: —

Effective date
of operation
of system in a
city or town.

(3) (a) The town clerk of any town which accepts sections one to twenty-eight, inclusive, by vote at any state election, as provided for in subdivision (1) of this section, shall file in the office of the commissioner of insurance within thirty days after such vote a certificate thereof sworn to by the election commissioners or other officers corresponding thereto. The city or town clerk of any city or town

which accepts said sections one to twenty-eight, inclusive, by vote of the city council, approved by the mayor, or of the selectmen, as the case may be, as provided for in subdivision (2) of this section, shall forthwith file in the office of said commissioner a certificate of such vote certified by the city or town clerk.

Said commissioner shall, within fifteen days after such filing, issue to the mayor or selectmen a certificate to the effect that the retirement system established by said sections shall become operative in such city or town on the first day of January or of July, whichever occurs first, following the expiration of three months after the date of such certificate.

Approved March 28, 1946.

AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE
BOARD OF ALDERMEN AND SCHOOL COMMITTEE OF THE CITY
OF SOMERVILLE. *Chap. 167*

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and forty of the acts of eighteen hundred and ninety-nine is hereby amended by striking out section seven, as amended by section two of chapter ninety-eight of the Special Acts of nineteen hundred and nineteen, and inserting in place thereof the following section:— *Section 7.* If there is no choice of mayor or if the person elected mayor shall refuse to accept the office or shall die before qualifying, or if a vacancy in said office shall occur five months or more prior to any regular municipal election, the board of aldermen shall forthwith order a special election, and the same proceedings shall be had in all respects as are hereinbefore provided for the election of a mayor, and shall be repeated until the election of a mayor is completed. But if the vacancy in the office of mayor shall occur less than five months prior to any regular municipal election, it shall be filled by the board of aldermen by a majority vote of all its members. If the full number of members of the board of aldermen has not been elected, or if a vacancy in the office of alderman shall occur one year or more prior to any regular municipal election, the board of aldermen shall forthwith order a special election, and the same proceedings shall be had in all respects as are hereinbefore provided for the election of such alderman. But if the vacancy in the office of alderman shall occur less than one year prior to any regular municipal election, it shall be filled for the remainder of the term by the board of aldermen by a majority vote of all its members. The person elected to fill such vacancy shall be chosen from the ward in which the vacancy occurs.

SECTION 2. Said chapter two hundred and forty is hereby further amended by striking out section twenty-eight, as most recently amended by chapter thirty-five of the acts of nineteen hundred and thirty-five, and inserting in

place thereof the following section:— *Section 28.* The management and control of the public schools shall be vested in a school committee, which shall exercise the powers conferred and discharge the duties imposed by law upon school committees. The committee shall consist of the mayor and the president of the board of aldermen, ex officio, neither of whom shall serve as chairman, and seven other members, elected as follows:— one member shall be elected by and from the voters of each ward at each regular municipal election to serve for the term of two years next following. If a vacancy in the office of school committeeman shall occur one year or more prior to any regular municipal election, the board of aldermen shall forthwith order a special election, and the same proceedings shall be had in all respects as are hereinbefore provided for the election of such school committeeman. But if the vacancy in the office of school committeeman shall occur less than one year prior to any regular municipal election, it shall be filled for the remainder of the term by ballot of the remaining members of the school committee, the member so elected to be a qualified voter of the ward in the representation of which on said committee the vacancy exists.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1946.

Chap. 168 AN ACT RELATIVE TO THE RIGHT OF ELECTION TO BENEFITS UNDER THE PROVISIONS OF THE EMPLOYMENT SECURITY LAW BASED ON WAGES PAID SUBSEQUENT TO TERMINATION OF MILITARY SERVICE IN LIEU OF PAYMENTS UNDER THE FEDERAL SERVICEMEN'S READJUSTMENT ACT OF 1944.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available immediately to certain persons the right of election to benefits for unemployment, based on wages paid subsequent to termination of their military service, in lieu of payments under the federal Servicemen's Readjustment Act of 1944, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter seven hundred and one of the acts of nineteen hundred and forty-one is hereby amended by striking out section five and inserting in place thereof the following section:— *Section 5.* If, under an act of congress, payments with respect to the unemployment of persons who have completed a period of active military or naval service are payable by the United States, such persons shall be disqualified for benefits with respect to any week until they have exhausted all their rights to such payments from the United States, except those persons who subsequent to their termination of such service have been paid wages of one

hundred and fifty dollars or more in any base period beginning with the nineteen hundred and forty-five base period. On or after April first, nineteen hundred and forty-six, and at the time of the first filing of a claim in any benefit year, such persons may elect to file a claim under said chapter one hundred and fifty-one A, based on wages earned subsequent to said termination of such service and in the base period then in effect, or to file a claim for readjustment allowances under the Servicemen's Readjustment Act of 1944 or any similar act of congress. If any such person elects to file a claim for readjustment allowances under the provisions of Title V of the Servicemen's Readjustment Act of 1944 or a claim for payments with respect to unemployment under any similar act of congress he shall be disqualified for benefits under said chapter one hundred and fifty-one A for the then current benefit year unless he has exhausted such readjustment allowances or such payments under any other act of congress. Any person who is receiving readjustment allowances under the Servicemen's Readjustment Act of 1944 as of April first, nineteen hundred and forty-six, and who has been paid wages of one hundred and fifty dollars or more in the nineteen hundred and forty-five base period subsequent to the termination of his active military or naval service, may file on or after April first, but not later than April thirtieth, nineteen hundred and forty-six, a claim under said chapter one hundred and fifty-one A in like manner as hereinbefore set forth in this section.

Approved March 28, 1946.

AN ACT PENALIZING THE USE FOR TRADE PURPOSES OF THE WORDS "ARMY", "NAVY" AND OTHER WORDS DENOTING BRANCHES OF THE UNITED STATES GOVERNMENT.

Chap. 169

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately prohibit the use by private mercantile establishments of certain military and naval words so as to protect the public against being led to believe that such establishments are government agencies, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and ten of the General Laws is hereby amended by inserting after section four A the following section:— *Section 4B.* No person, firm, corporation or association, other than an agency or instrumentality of the United States government, selling or offering for sale goods, wares or merchandise, shall use, or cause or permit to be used, in the corporate or trade name thereof, or in the description of the seller or of the place where the goods, wares or merchandise are offered for sale or sold, the words or phrases "Army", "Navy", "Marine Corps", "Marines",

G. L. (Ter. Ed.), 110, new § 4B, added.

Use of certain words in business name forbidden.

"Coast Guard", "Government", "Post Exchange", "P-X" or "G. I.", or any of such words or phrases, or any word or phrase which may lead the public to believe that the seller or his or its place of business is owned, operated or managed by the United States government or any agency thereof.

G. L. (Ter.
Ed.), 110, § 26,
amended.

Penalty.

Certain
exemptions.

SECTION 2. Section twenty-six of said chapter one hundred and ten, as appearing in the Tercentenary Edition, is hereby amended by inserting after the letter "A" in the first line the following:—, four B, — so as to read as follows:— *Section 26.* Violations of any provision of section four A, four B, eleven, twelve or thirteen shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one year, or both.

SECTION 3. Section four B of chapter one hundred and ten of the General Laws, inserted by section one of this act, shall not apply to any person, firm, corporation or association subject to its terms who or which was engaged, on April first, nineteen hundred and forty-six, in selling or offering for sale goods, wares or merchandise and used in his or its corporate or trade name, or in the description of the seller or of the place where the goods, wares or merchandise offered were for sale or sold, any of the words or phrases set forth or referred to in said section four B.

Approved April 2, 1946.

Chap.170 AN ACT INCREASING BENEFIT PAYMENTS AND MAKING CERTAIN OTHER CHANGES IN THE EMPLOYMENT SECURITY LAW.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat one of its principal purposes, which is to make available immediately during the present emergency increased benefits under the employment security law, to be computed from April first of the current year, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 151A,
§ 29, etc.,
amended.

Unemploy-
ment benefits
payable.

SECTION 1. Effective as of April first, nineteen hundred and forty-six, section twenty-nine of chapter one hundred and fifty-one A of the General Laws is hereby amended by striking out subsection (a), as most recently amended by section one of chapter four hundred and eighty-four of the acts of nineteen hundred and forty-five, and inserting in place thereof the following subsection:— (a) An individual in total unemployment and otherwise eligible for benefits shall be paid for each week of unemployment an amount based on the highest quarterly wage of his base period, as provided in the following table:—

TOTAL WAGES PAID IN HIGHEST QUARTER.	Weekly Benefit Rate.
\$119 99 or less	\$6 00
120 00— 139 99	7 00
140 00— 159 99	8 00
160 00— 179 99	9 00
180 00— 199 99	10 00
200 00— 219 99	11 00
220 00— 239 99	12 00
240 00— 259 99	13 00
260 00— 279 99	14 00
280 00— 299 99	15 00
300 00— 319 99	16 00
320 00— 339 99	17 00
340 00— 359 99	18 00
360 00— 379 99	19 00
380 00— 399 99	20 00
400 00— 419 99	21 00
420 00— 439 99	22 00
440 00— 459 99	23 00
460 00— 479 99	24 00
480 00— and over	25 00

SECTION 2. Subsection (b) (2) of section fourteen of said chapter one hundred and fifty-one A, as most recently amended by section two of said chapter four hundred and eighty-four, is hereby further amended by inserting after the word "forty-five" in the twenty-fifth line the following: — and prior to April first, nineteen hundred and forty-six, — and by adding at the end the following: — ; and provided, further, that on and after April first, nineteen hundred and forty-six, benefit wages charged against each employer shall include that part of wages not in excess of nineteen hundred dollars paid by him in a base period, — so as to read as follows: —

(2) When, in any calendar year, beginning not earlier than nineteen hundred and thirty-nine, a worker is paid benefits for the first compensable week of unemployment with respect to the benefit year to which the claim applies, his wages from each employer during his base period shall be termed "worker's benefit wages" and shall be treated for the purposes of this subsection as if they had been paid in the year in which the first week of benefits is paid. "Worker's benefit wages" when used with respect to benefits paid for the first compensable week of unemployment on claims originally arising in the year nineteen hundred and thirty-nine or in the years nineteen hundred and forty, nineteen hundred and forty-one, nineteen hundred and forty-two and prior to April first, nineteen hundred and forty-three, shall include the wages not in excess of one thousand dollars in those quarters upon which the benefits available to the claimant were computed, assignable to its respective year of nineteen hundred and thirty-nine to nineteen hundred and forty-three, inclusive, in accordance with this sub-

G. L. (Ter. Ed.), 151A, § 14, etc., amended.

"Worker's benefit wages" defined.

section. For the purposes of this subsection, and effective as of April first, nineteen hundred and forty-three, benefit wages charged against each employer shall include only that part of wages not in excess of twelve hundred dollars paid by him in a base period; provided, that on and after April first, nineteen hundred and forty-five and prior to April first, nineteen hundred and forty-six, benefit wages charged against each employer shall include that part of wages not in excess of sixteen hundred dollars paid by him in a base period; and provided, further, that on and after April first, nineteen hundred and forty-six, benefit wages charged against each employer shall include that part of wages not in excess of nineteen hundred dollars paid by him in a base period.

Approved April 8, 1946.

Chap.171 AN ACT PROHIBITING THE EMPLOYMENT OF MINORS UNDER EIGHTEEN ON WORK AT DANGEROUS HEIGHTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 149, § 62, etc., amended.

Employment of minors under eighteen.

Section sixty-two of chapter one hundred and forty-nine of the General Laws, as most recently amended by chapter three hundred and thirty-seven of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "sold", in the twentieth line, the following: — ; (15) in any room or other subdivision of a building at a height of more than thirty feet above the floor of such room or other subdivision, or in any other place at a height of more than thirty feet above the ground level or water level, as the case may be.

Approved April 8, 1946.

Chap.172 AN ACT RELATIVE TO PRIORITY AS BETWEEN MORTGAGEES OF FURNITURE AND OTHER HOUSEHOLD EFFECTS AND WAREHOUSEMEN.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 105, § 33, amended.

Priority between mortgagees of furniture, etc., and warehousemen.

Section thirty-three of chapter one hundred and five of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

As against the holder of a duly executed mortgage of furniture or other household effects, or a person claiming under him, the lien of a warehouseman, who has received such furniture or effects from the mortgagor, or a person claiming under him, without actual notice of the mortgage, for all lawful charges and expenses specified in section thirty-two shall prevail after the expiration of ninety days after delivery of the property to the warehouseman where a breach of condition of the mortgage by failure to pay in accordance with the terms thereof exists at the time of such delivery, or after the expiration of ninety days after such a breach of condition occurring after delivery of the property as aforesaid, if, in either case, prior to the expiration of the period

aforesaid applicable in such case no written demand for delivery of the property has been made upon the warehouseman by the mortgagee, or a person claiming under him; provided, that, if at any time after such a breach has occurred the warehouseman gives a written notice to the mortgagee, or a person claiming under him, to remove the property from the warehouse, the lien of the warehouseman shall prevail after the expiration of thirty days from the date of such notice, if prior to the expiration thereof the mortgagee, or a person claiming under him, fails to remove the property from the warehouse. Subject to other provisions of this chapter, delivery of the property by the warehouseman to a mortgagee, or a person claiming under him, who is entitled to immediate possession because of such a breach of condition of the mortgage, in compliance with such a demand or within thirty days after the date of such a notice shall relieve the warehouseman from any claim by any depositor, transferee of a depositor or other person who would be entitled to delivery of the property but for such demand or notice.

Approved April 8, 1946.

AN ACT TO AUTHORIZE THE PLACING OF THE POSITION OF
NURSE IN THE PUBLIC WELFARE DEPARTMENT OF THE CITY
OF SOMERVILLE UNDER THE CIVIL SERVICE LAWS. Chap.173

Be it enacted, etc., as follows:

SECTION 1. The position of nurse in the public welfare department of the city of Somerville shall, upon the effective date of this act, become subject to the civil service laws, rules and regulations, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. The person holding said office on said effective date shall be subjected to a non-competitive examination by the division of civil service, and upon passing the same shall be deemed to be permanently appointed to said position without serving any probationary period. Such incumbent, upon failing to pass such examination, may continue to serve in said position but shall not be subject to said civil service laws.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 8, 1946.

AN ACT FURTHER REGULATING THE RATE OF INTEREST ON
LOANS OF THREE HUNDRED DOLLARS OR LESS. Chap.174

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and forty of the General Laws is hereby amended by striking out section one hundred, as amended by chapter one hundred and nineteen of the acts of the current year, and inserting in place thereof the following section:—*Section 100.* He shall establish the rate of interest to be collected, and in fixing said rate

G. L. (Ter.
Ed.), 140,
§ 100, etc.,
amended.

Rate of
interest.

shall have due regard to the amount of the loan, and the nature of the security, and the time for which the loan is made; but the total amount to be paid on any loan for interest and expenses shall not, in the aggregate, exceed an amount equivalent to two per cent a month for a period terminating not later than one year after maturity, and to six per cent per annum after the termination of said year, on the amount actually received by the borrower, computed on unpaid balances; and no licensee or company or association to which sections ninety-six to one hundred and twelve, inclusive, apply shall charge or receive upon any loan a greater rate of interest than that fixed by the commissioner. No charge, bonus, fee, expense or demand of any nature whatsoever, except as above provided, shall be made upon loans to which said sections relate.

Not effective
in certain
cases.

SECTION 2. This act shall not affect any loan made prior to the time at which any new rate of interest established under authority thereof becomes effective.

Approved April 8, 1946.

Chap. 175 AN ACT PERMITTING DEFENDANTS, ON APPEAL IN SUMMARY PROCESS CASES, TO FILE A BOND SECURED BY CASH OR ITS EQUIVALENT, INSTEAD OF BY SURETIES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 239, § 5,
amended.

Appeal.
Bond.
Action thereon.

SECTION 1. Chapter two hundred and thirty-nine of the General Laws is hereby amended by striking out section five, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 5.* If the defendant appeals from a judgment of a district court rendered for the plaintiff for the possession of the land or tenements demanded, he shall, except as provided in section six, before such appeal is allowed, give bond in such sum as the court orders, payable to the plaintiff, with sufficient surety or sureties approved by the plaintiff or court, or secured by cash or its equivalent deposited with the clerk, in a reasonable amount to be fixed by the plaintiff or court, conditioned to enter the action in the superior court for that county at the return day next after the appeal is taken, and to pay to the plaintiff, if final judgment is in his favor, all rent accrued at the date of the bond, all intervening rent, and all damage and loss which he may sustain by the withholding of possession of the land or tenements demanded and by any injury done thereto during such withholding, with all costs, until the delivery of possession thereof to him. A certificate of such deposit of cash or its equivalent shall be issued to the depositor by the clerk, and the deposit shall be transmitted by him with the papers to the clerk of the superior court, who shall thereupon deliver a receipt therefor to such clerk. The superior court may give directions as to the manner of keeping such deposit. Upon final judgment for the plaintiff, all money then due to him may be recovered in an action on the bond.

SECTION 2. This act shall take effect on August first of the current year, and shall apply only in the case of appeals taken on or after said date. *Approved April 8, 1946.*

Effective date.

AN ACT RELATIVE TO THE GIVING OF FALSE WEIGHT OR MEASURE. *Chap. 176*

Be it enacted, etc., as follows:

Chapter ninety-four of the General Laws is hereby amended by striking out section one hundred and seventy-seven, as appearing in the Tercentenary Edition, and inserting in place thereof the following:— *Section 177.* Except as otherwise provided by section two hundred and forty-eight, whoever himself or by his servant or agent gives or attempts to give false or insufficient weight or measure, or inferentially misrepresents the weight or quantity of a commodity sold or delivered by weight or measure by stating a price without stating the weight or quantity of such commodity, such price being in fact greater than the price advertised for such commodity or mutually understood by both parties to be the price for a given weight or measure, or demands or accepts payment in excess of the regularly quoted selling price of a commodity sold or delivered by weight or measure, or takes or attempts to take more than the quantity he represents when, as the buyer, he furnishes the weights, measures or weighing or measuring device by means of which the amount of commodity is determined, shall be punished for the first offence by a fine of not more than fifty dollars, for the second offence by a fine of not more than two hundred dollars, and for a subsequent offence by a fine of fifty dollars and by imprisonment for not less than one nor more than three months.

G. L. (Ter. Ed.), 94, § 177, amended.

Penalty for false weight or measure, etc.

Approved April 8, 1946.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 19, 1946.

HONORABLE FREDERIC W. COOK, *Secretary of the Commonwealth, State House, Boston.*

SIR:— I, Maurice J. Tobin, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the 8th day of April in the year nineteen hundred and forty-six, being Chapter 176 of the Acts of 1946 entitled, "An Act Relative to the Giving of False Weight or Measure", should take effect forthwith and that it is an emergency law and that the facts constituting the emergency are as follows:

There is at the present time a scarcity of meat and other food products that are sold by weight or measure. This scarcity is accentuated by an unbalanced distribution. In

order to effect a more balanced distribution of food by preventing over-charges, it is necessary that the legislation referred to above be immediately operative.

Very truly yours,

MAURICE J. TOBIN,
Governor of Massachusetts.

OFFICE OF THE SECRETARY, BOSTON, June 19, 1946.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at one o'clock and thirty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and seventy-six of the acts of nineteen hundred and forty-six.

PAUL D. HOWARD,
Deputy Secretary of the Commonwealth.

Chap. 177 AN ACT RELATIVE TO THE ARREST OF MALE DEBTORS AFTER
ADJOURNMENT OF COURT.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 224, § 18,
amended.

Section eighteen of chapter two hundred and twenty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the first paragraph the following paragraph: —

Arrest after
court has
adjourned.

A debtor arrested on a *capias* after court has adjourned may be lodged with the keeper of the lock-up in the city or town in which he is arrested, or lodged with the keeper of the common jail. Said keeper shall receive the debtor from the arresting officer and hold the debtor until the next sitting of the court issuing the *capias*, at which time the officer shall call for the debtor and take him before the court. The debtor shall be allowed a reasonable time to procure sureties for his recognizance to appear before the court issuing the *capias* at the next sitting of court. A master in chancery may accept his recognizance to the creditor with surety or sureties in a sum not less than the judgment, conditioned that he will appear before the court at its next sitting and from time to time until the proceedings are concluded. The provision for the arrest of a debtor after court has adjourned shall not apply to female debtors.

Approved April 8, 1946.

Chap. 178 AN ACT RELATIVE TO THE ISSUANCE TO PERSONS IN THE MILITARY OR NAVAL SERVICE OF THE UNITED STATES OF SPECIAL CERTIFICATES ENTITLING THEM TO HUNT AND FISH IN THIS COMMONWEALTH.

Emergency
preamble.

Whereas, The deferred operation of this act would tend in part to defeat its purpose, which is to extend without delay certain privileges granted to persons in the military

or naval service of the United States during the present war with respect to hunting and fishing in this commonwealth, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and eighty-eight of the acts of nineteen hundred and forty-three is hereby amended by striking out section one and inserting in place thereof the following section: — *Section 1.* A person in the military or naval service of the United States may be granted a special certificate entitling him to hunt any bird or mammal within the commonwealth, or to fish in any of the inland waters of the commonwealth, which certificate the director of the division of fisheries and game of the department of conservation and the clerk of any city or town are hereby authorized to issue, and the holder of such certificate shall have the same rights and privileges and be subject to the same duties as if he held a sporting license. Such certificate shall be in the form prescribed upon a blank furnished by said division of fisheries and game, and shall continue in force until December thirty-first in the year when granted notwithstanding that the holder of such special certificate terminates his military or naval service prior to said date. In case of residents of the commonwealth no fee shall be charged for such certificate, and in case of non-residents a fee of two dollars shall be charged therefor.

SECTION 2. This act shall be in effect only during the continuance of the existing states of war between the United States and certain foreign countries.

Approved April 8, 1946.

AN ACT REPEALING CERTAIN PROVISIONS OF LAW WHICH DEFER THE GRANTING OF ONE DAY OFF IN EVERY SIX DAYS FOR MEMBERS OF THE POLICE FORCE OF THE CITY OF BOSTON. Chap. 179

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and seventy-four of the acts of nineteen hundred and forty-three is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

SECTION 2. This act shall take effect upon its passage.

Approved April 8, 1946.

Chap. 180 AN ACT PROVIDING FOR THE GIVING OF NOTICE OF THE DATE OF EXPIRATION OF LICENSES GRANTED TO ENGINEERS, FIREMEN AND OPERATORS OF HOISTING MACHINERY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 146, § 67, etc., amended.

License in force for one year unless suspended or revoked.

Section sixty-seven of chapter one hundred and forty-six of the General Laws, as amended by section one of chapter five hundred and twenty-five of the acts of nineteen hundred and forty-one, is hereby further amended by inserting after the word "license" in the sixth line the following sentence: — A notice of the date of expiration of a license shall, at least thirty days prior to such date, be sent to the licensee, — so as to read as follows: — *Section 67.* A license shall continue in force for one year from the date of issue unless suspended or revoked for incompetence or untrustworthiness of the licensee, except that a special license shall not continue in force after the holder thereof ceases to be employed in the plant specified in the license. A notice of the date of expiration of a license shall, at least thirty days prior to such date, be sent to the licensee. The inspector of the division for the town where a licensee resides may issue a renewal license, upon payment of a fee of one dollar. A person whose license is suspended or revoked shall surrender his license to the chief or an inspector of the division. If a new license of a different grade is issued, the old license shall be destroyed by the examiner. *Approved April 8, 1946.*

Chap. 181 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF PLYMOUTH TO PARTICIPATE IN CO-OPERATIVE SHORE PROTECTION AND REPAIR OF DAMAGE IN CERTAIN TOWNS IN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth are hereby authorized to participate in the work of shore protection and repair of damage done by storms in certain towns in said county, and for such purpose may pay such sums as may be necessary, not to exceed twenty-five per cent of the cost of such work, in co-operation with the commonwealth and with the towns in which such work is done, or in co-operation with the commonwealth and said towns and the federal government.

SECTION 2. For the purpose aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, eighty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on the face the words Plymouth County Shore Protection Loan, Act of 1946. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than five years from their dates. The bonds or notes shall be signed by the county treasurer

and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer of said county, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 4. In the event that any work authorized by section one is performed by the commonwealth or by a town the money to be contributed by the county of Plymouth shall be paid into the state treasury or the town treasury from time to time as requested by the state department of public works or by the department, board or officer of the town having similar powers and duties, as the case may be, but no such work shall be commenced until the contribution or contributions so requested have been so paid and no money so contributed shall be used for any other purpose.

SECTION 5. This act shall take full effect upon its acceptance, during the current year, by the county commissioners of the county of Plymouth, but not otherwise.

Approved April 8, 1946.

AN ACT ESTABLISHING THE OFFICE OF SECOND ASSISTANT CLERK IN THE MUNICIPAL COURT OF THE SOUTH BOSTON DISTRICT.

Chap. 182

Be it enacted, etc., as follows:

The first paragraph of section ten of chapter two hundred and eighteen of the General Laws, as most recently amended by section one of chapter one hundred and ninety-three of the acts of nineteen hundred and thirty-eight, is hereby further amended by inserting after the word "district" in the twenty-first line the words: — , the municipal court of the South Boston district, — so as to read as follows: — The clerk of a district court may, subject to the approval of the justice, appoint one or more assistant clerks, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible and who shall be paid by him unless salaries payable by the county are authorized in this section or in section fifty-three. Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the municipal

G. L. (Ter. Ed.), 218, § 10, etc., amended.

Assistant clerks in district courts.

court of the Brighton district, the district court of western Hampden, the district court of Newton, the district court of northern Norfolk and in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more. Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown district, the municipal court of the Dorchester district, the municipal court of the Brighton district, the municipal court of the West Roxbury district, the municipal court of the South Boston district, the central district court of Worcester, and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the third district court of eastern Middlesex, the district court of southern Essex, the second district court of Bristol, the third district court of Bristol and the district court of East Norfolk.

Approved April 8, 1946.

Chap. 183 AN ACT AUTHORIZING FEES FOR THE ISSUANCE OF DUPLICATE LICENSES BY THE LICENSING BOARD FOR THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The licensing board for the city of Boston is hereby authorized and empowered to charge a fee not exceeding one dollar for the issuance of a duplicate of any license granted and issued by said board.

Approved April 8, 1946.

Chap. 184 AN ACT TO AUTHORIZE DEDUCTIONS FROM THE WAGES OR SALARIES OF EMPLOYEES OF DISTRICTS AND MUNICIPALITIES OF THE COMMONWEALTH FOR THE PURPOSE OF MAKING CERTAIN PAYMENTS TO CREDIT UNIONS OF SUCH EMPLOYEES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 171, new § 6A, added.

Pay-roll deductions for purchase of credit union shares, etc., authorized.

Chapter one hundred and seventy-one of the General Laws is hereby amended by inserting after section six, as appearing in the Tercentenary Edition, the following section:— *Section 6A.* Deductions on pay-roll schedules from the salary of any district or municipal employee in any amount which such employee may specify in writing to the treasurer of the district or municipality by which he is employed, for the purchase of credit union shares of, or making deposits in, or for the repayment of any loan from, any credit union operated by the employees of any such district or municipality may be made, in the discretion of such treasurer and subject to such rules and regulations as he may establish. Any such authorization may be withdrawn by the employee by giving such notice in writing of such withdrawal as the rules and regulations require to the district or municipal treasurer and by filing a copy thereof with the treasurer of such credit union. The treasurer of

the district or municipality by which such employee is employed shall deduct from the salary of such employee such amounts as may be certified on the pay-roll, and transmit the sum so deducted to the treasurer of such credit union for the purpose specified by the employee; provided, that the district or municipal treasurer is satisfied by such evidence as he may require that the treasurer of the credit union has given bond as required by law for the faithful performance of his duties. Moneys so deducted shall not be attached or taken upon execution or other process while in the custody of the treasurer of any district or municipality.

Approved April 8, 1946.

AN ACT REQUIRING CITIES AND TOWNS TO APPROPRIATE OR PROVIDE SUMS NECESSARY FOR FORECLOSURE OF TAX TITLES BY PROCEEDINGS IN THE LAND COURT.

Chap. 185

Be it enacted, etc., as follows:

Chapter sixty of the General Laws is hereby amended by inserting after section fifty A, inserted by section two of chapter one hundred and fifty-four of the acts of nineteen hundred and thirty-four, the following section:— *Section 50B.* Every city or town shall include in its annual budget the amount estimated by its treasurer as the amount necessary for land court proceedings for tax title foreclosure; provided, that the amount so included shall be not less than thirty-six dollars for each tax title ripe for foreclosure held by said city or town as security for the payment of taxes involving property having a current assessed valuation in excess of one thousand dollars.

G. L. (Ter. Ed.), 60, new § 50B, added.

Budget to provide for certain sums necessary for foreclosure of tax titles by proceedings in land court.

If in any year the amount so estimated is not included in the budget as finally passed the treasurer shall certify in writing to the assessors such portion of the amount estimated in accordance with the preceding paragraph as has not been provided and the assessors shall raise in the assessment for such year the amount certified to them by the treasurer and thereupon said amount shall be added to the treasurer's appropriation and may be expended by said treasurer for necessary land court proceedings for tax title foreclosure.

Approved April 8, 1946.

AN ACT RELATIVE TO SIGNATURES AND INFORMATION REQUIRED ON RIDERS AND ENDORSEMENTS ON INSURANCE POLICIES AND CONTRACTS.

Chap. 186

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by striking out section thirty-three, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 33.* All such policies or contracts issued by such company shall be signed by its secretary or an assistant secretary, or in their

G. L. (Ter. Ed.), 175, § 33, amended.

Signatures on policies, etc.

absence by a temporary secretary, and by its president or a vice-president, or in their absence by two directors. Riders or endorsements, other than riders or endorsements providing for any of the benefits specified in section twenty-four, attached to policies of life or endowment insurance and annuity or pure endowment contracts, and riders or endorsements attached to policies of accident and health insurance, may be signed by one of the aforesaid officers of the company. Riders or endorsements attached to any other policy or contract of insurance need not be signed by any officer of the company if signed by a duly authorized agent or representative of the company; provided, that the name of the company shall be printed, typed, written or stamped on each such rider and the number of the policy or contract to which it is to be attached is inserted therein. A facsimile of the signature of any such officer imprinted on any policy or contract or any rider or endorsement attached thereto, or a facsimile of the signature of any such agent or representative imprinted on any rider or endorsement which under this section he is authorized to sign, shall have the same validity as his written signature.

Facsimile
signatures.

Approved April 8, 1946.

Chap.187 AN ACT PROVIDING SICK LEAVES FOR FOREMEN REGULARLY EMPLOYED BY CERTAIN CITIES AND TOWNS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 41,
§ 111B, etc.,
amended.

Section one hundred and eleven B of chapter forty-one of the General Laws, inserted by chapter one hundred and fifty-six of the acts of nineteen hundred and forty-five, is hereby amended by inserting after the word "Any" in the first line the word: — foreman, — so as to read as follows: — *Section 111B.* Any foreman, laborer, workman or mechanic regularly employed by any city or town which accepts this section shall, when entitled thereto, be granted sick leaves aggregating not more than fifteen days in any year, exclusive of Sundays and holidays, without loss of pay; provided, that sick leave allowances not used in any particular year may be accumulated, for such number of years as may be determined by the city council of any such city or selectmen of any such town, for use in any subsequent year.

Sick leave
for laborers,
etc., of certain
cities and
towns.

Approved April 8, 1946.

Chap.188 AN ACT REQUIRING THE CITY OF FALL RIVER TO TEMPORARILY REINSTATE JOSEPH M. CLEARY AS A LABORER FOR THE SOLE PURPOSE OF BEING RETIRED.

Be it enacted, etc., as follows:

SECTION 1. Joseph M. Cleary, who was employed for over twenty-four years as a laborer in the service of the city of Fall River and who became separated from such service in the year nineteen hundred and twenty-eight, by

reason of inability to work on account of disability arising out of and in the course of his employment, shall be reinstated by said city in its public works department without further examination, but for the sole purpose of being retired.

Upon his retirement as aforesaid there shall be paid to him a pension at a rate equal to one half the rate of annual compensation received by him at the time of his separation from the classified labor service.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 8, 1946.

AN ACT AUTHORIZING THE CITY OF MEDFORD TO COMPENSATE THE MEMBERS OF ITS BOARD OF ALDERMEN. Chap. 189

Be it enacted, etc., as follows:

SECTION 1. Section eight of chapter three hundred and forty-five of the acts of nineteen hundred and three, as amended by section one of chapter sixty-one of the acts of nineteen hundred and thirty-eight, is hereby further amended by adding at the end the following paragraph: —

The aldermen shall receive in full compensation for their services as members of the board, or of any committee thereof, such salary as may be established by ordinance, but not exceeding seven hundred and fifty dollars per annum for each member.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Medford at the biennial state election in the current year in the form of the following question which shall be placed upon the official ballot to be used in said city at said election: — “Shall an act passed by the general court in the year nineteen hundred and forty-six, entitled ‘An Act authorizing the city of Medford to compensate the members of its board of aldermen’, be accepted?” If a majority of the votes cast on said question is in the affirmative, this act shall take full effect on January first in the year nineteen hundred and forty-seven, otherwise it shall have no effect.

Approved April 8, 1946.

AN ACT RELATIVE TO HUNTING ON NOVEMBER ELEVENTH OR ON THE DAY FOLLOWING WHEN NOVEMBER ELEVENTH OCCURS ON SUNDAY. Chap. 190

Be it enacted, etc., as follows:

Clause Eighteenth of section seven of chapter four of the General Laws, as most recently amended by section one of chapter ninety-one of the acts of nineteen hundred and forty-one, is hereby further amended by inserting after the word “day” in the sixteenth line, as appearing in chapter two hundred and forty-five of the acts of nineteen hundred and thirty-eight, the words: — , and except that on Novem-

G. L. (Ter. Ed.), 4, § 7, etc., amended.

"Legal holiday".

Hunting on November eleventh not prohibited if otherwise legal.

ber eleventh, or on the day following when November eleventh occurs on Sunday, hunting during said hours, if otherwise lawful, shall not be prohibited, — so as to read as follows: — Eighteenth, "Legal holiday" shall include January first, February twenty-second, April nineteenth, May thirtieth, July fourth, the first Monday of September, October twelfth, November eleventh, Thanksgiving day and Christmas day, or the day following when any of the five days first mentioned, October twelfth, November eleventh, or Christmas day occurs on Sunday; and the public offices shall be closed on all of said days; and all laws, statutes, orders, decrees, rules and regulations regulating the observance of the Lord's day shall be applicable to May thirtieth and November eleventh between the hours of seven o'clock ante meridian and one o'clock post meridian, or during the same hours on the day following when May thirtieth or November eleventh occurs on Sunday, except that on May thirtieth, or on the day following when May thirtieth occurs on Sunday, florist shops may be kept open all of said day, and except that on November eleventh, or on the day following when November eleventh occurs on Sunday, hunting during said hours, if otherwise lawful, shall not be prohibited; and all laws, statutes, orders, decrees, rules and regulations regulating the keeping open of retail stores on the Lord's day shall be applicable to the keeping open of retail stores on October twelfth between the hours of seven o'clock ante meridian and one o'clock post meridian, or during the same hours on the day following when October twelfth occurs on Sunday. "Legal holiday" shall also include, with respect to Suffolk county only, March seventeenth and June seventeenth, or the day following when March seventeenth or June seventeenth occurs on Sunday, and the public offices of the cities of Boston, Chelsea and Revere, the town of Winthrop and the county of Suffolk shall be closed on said March seventeenth or the day following when March seventeenth occurs on Sunday, and the public offices in said county shall be closed on said June seventeenth or the day following when June seventeenth occurs on Sunday; provided, that the words "legal holiday" as used in section forty-five of chapter one hundred and forty-nine, and the word "holiday" as used in chapter one hundred and seven, shall not include March seventeenth or the day following when March seventeenth occurs on Sunday.

Approved April 8, 1946.

Chap. 191 AN ACT PERTAINING TO THE TERMS AND TENURES OF OFFICE OF PERSONS SERVING AS TRUSTEES OF BRADFORD JUNIOR COLLEGE.

Be it enacted, etc., as follows:

The terms and tenures of office of persons serving as trustees of Bradford Junior College shall be fixed by the by-laws of said institution notwithstanding the provisions of

chapter seventy-four of the acts of eighteen hundred and three, passed February tenth, eighteen hundred and four, as amended.

Approved April 8, 1946.

AN ACT FURTHER PROVIDING FOR THE FUNDING OF OVERLAY DEFICITS BY THE CITY OF BOSTON. *Chap.192*

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, for the purposes specified in section two of this act, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, one million dollars; provided, that no bonds or notes authorized by this section shall be issued later than the thirty-first day of December, nineteen hundred and forty-seven. Such bonds or notes shall bear on their face the words, City of Boston Funding Loan, Acts of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates. Indebtedness incurred under this section shall, except as herein provided, be subject to the provisions, applicable to the city of Boston, of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. Said city may issue temporary notes of the city, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes authorized by this section, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this section. All notes issued in anticipation of the issue of such serial bonds or notes shall be paid from the proceeds thereof.

SECTION 2. The amounts borrowed under authority of section one shall be used for the satisfaction of abatements hereafter granted on account of tax assessments in each of the years prior to nineteen hundred and thirty-eight, in excess of the overlay or overlays of such years.

SECTION 3. The auditor of said city shall set up a separate account of the proceeds of all loans issued under authority of said section one. Charges shall be made against such account only for the purposes authorized in section two, and then only with the approval of the mayor.

SECTION 4. From and after the effective date of this act and until all loans issued under authority of section one of this act and section one of chapter two hundred and twenty-five of the acts of nineteen hundred and forty-one and section one of chapter two hundred and thirty-five of the acts of nineteen hundred and thirty-eight, respectively, are paid, the proceeds of all loans made by said city under chapter forty-nine of the acts of nineteen hundred and thirty-three, as amended, shall be used for no purpose other than to meet notes issued by said city in anticipation of revenue.

SECTION 5. Bonds or notes issued under authority of section one of this act shall, in favor of *bona fide* holders, be conclusively presumed to have been duly and regularly authorized and issued in accordance with the provisions contained in this act; and no holder thereof shall be obliged to see to the existence of the purpose of that issue, or to the regularity of any of the proceedings, or to the application of the proceeds.

SECTION 6. Loan orders passed under authority of this act shall be deemed to be emergency orders and as such may be passed in the manner provided in the charter of said city for loan orders for temporary loans in anticipation of taxes.

SECTION 7. This act shall take full effect upon its acceptance by vote of the city council of the city of Boston, approved by the mayor, but not otherwise.

Approved April 8, 1946.

Chap.193 AN ACT AUTHORIZING THE TOWN OF GRAFTON TO CONSTRUCT AND OPERATE A SYSTEM OR SYSTEMS OF SEWERS.

Be it enacted, etc., as follows:

SECTION 1. The town of Grafton may lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system of sewage disposal, and may construct such sewers or drains in said town as may be necessary, and, for the purpose of providing better surface or other drainage, may make, lay and maintain such drains as it deems best. And for the purposes aforesaid, the town may, within its limits, make and maintain sub-drains.

SECTION 2. The town may make and maintain, in any way therein where main drains or common sewers are constructed, such connecting drains, under-drains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.

SECTION 3. The town may, at the meeting when this act is accepted, vote that the selectmen shall act as a board of sewer commissioners. If the town does not so vote at said meeting, the town shall elect by ballot, at any town meeting not later than the second annual town meeting after the commencement of construction hereunder of a system of sewerage and sewage disposal, a board of three sewer commissioners who shall be citizens of the town, to hold office, if elected at an annual meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from such annual town meeting, and until their successors are qualified, or, if elected at a special meeting, one until the expiration of one year, one until the expiration of two years, and one until the expiration of three years, from the next succeeding annual town meeting, and until their successors are qualified;

and thereafter, at each annual town meeting when the term of a member expires, the town shall elect one member of the board to serve for three years and until his successor is elected and qualified. Any selectman shall be eligible to election to said board. In either case, whether the town votes that its selectmen shall act as a board of sewer commissioners or elects a board of sewer commissioners, the town may at any time thereafter, by any or all the methods permitted by general law, provide for the election of a board of three sewer commissioners, or that the selectmen may act as a board of sewer commissioners, as the case may be.

SECTION 4. Said board of sewer commissioners, acting for and on behalf of said town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights of way or easements, public or private, in said town, necessary for accomplishing any purpose mentioned in this act, and may construct such main drains and sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such drains and sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 5. Until the board of sewer commissioners has first been elected as provided in this act or the selectmen have first been authorized by vote to act as such board, as the case may be, but not in any event later than the second annual town meeting after the commencement of the work of construction authorized hereby, the town may carry on such work by a duly authorized committee of the town. The committee shall serve without pay and shall have all the powers and authority given to the board of sewer commissioners in this act or by general law. Whenever the phrase "said board of sewer commissioners" or "said board" hereinafter occurs, it shall mean and include the board of sewer commissioners, the selectmen acting as such or the committee of the town provided for in this section, as the case may be.

SECTION 6. Any person injured in his property by any action of said board of sewer commissioners under this act may recover damages from said town under said chapter seventy-nine.

SECTION 7. The town shall, by vote, determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay; provided, that it

shall pay not less than one fourth nor more than two thirds of the whole cost. In providing for the payment of the remaining portion of the cost of said system or systems, or for the use of said system or systems, the town may avail itself of any or all of the methods permitted by general laws, and the provisions of said general laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this act, except that interest shall be at the rate of six per cent per annum. At the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of said town shall certify the payment or payments of such assessments or apportionments thereof to the sewer commissioners, or to the selectmen acting as such, who shall preserve a record thereof.

SECTION 8. For the purpose of paying the necessary expenses and liabilities incurred under this act, the town may borrow such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars; and may issue bonds or notes therefor, which shall bear on their face the words, Grafton Sewerage Loan, Act of 1946. Each authorized issue shall constitute a separate loan. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 9. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system or systems of sewerage and sewage disposal or to the extension thereof, to the payment of interest upon bonds or notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

SECTION 10. Said board of sewer commissioners may annually appoint a clerk and may appoint a superintendent of sewers who shall not be a member of the board, and shall define their duties. It may remove the clerk or superintendent at its pleasure. Said board may, in its discretion, prescribe for the users of said sewer system or systems such annual rentals or charges based upon the benefits derived therefrom as it may deem proper, subject however to such rules and regulations as may be fixed by vote of the town.

SECTION 11. All contracts made by the board of sewer commissioners shall be made in the name of the town and shall be signed by the board, but no contract shall be made or obligation incurred by said board for any purpose in excess of the amount of money appropriated by the town therefor.

SECTION 12. Said board may, from time to time, prescribe rules and regulations for the connection of estates

and buildings with main drains and sewers, and for inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may prescribe penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town of Grafton, if there be any, and if not, then in some newspaper published in the county of Worcester, and shall not take effect until such publications have been made.

SECTION 13. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plans for said system or systems of sewerage and sewage disposal have been approved by the state department of public health. Upon application to said department for its approval, it shall give a hearing, after due notice to the public. At such hearing, plans showing in detail all the work to be done in constructing said system or systems of sewerage and sewage disposal shall be submitted to said department for its approval.

SECTION 14. This act shall take full effect upon its acceptance by vote of the majority of the voters of said town voting thereon at a town meeting called for the purpose within five years after its passage. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved April 8, 1946.

AN ACT RELATIVE TO STANDARDS FOR SCHOOLS AND COLLEGES OF PHARMACY.

Chap. 194

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to elevate at once the standards of pharmacy in the commonwealth and thereby to promote the public safety and the public health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter one hundred and twelve of the General Laws is hereby amended by inserting after section twenty-four A, inserted by section three of chapter five hundred and two of the acts of nineteen hundred and forty-five, the following section:— *Section 24B.* The board and the commissioner of education shall forthwith establish standards to be met by schools or colleges of pharmacy and when, in the opinion of the board and the commissioner, such standards have been met by any school or college of pharmacy, a certificate of approval shall be awarded to such approved school or college of pharmacy; provided, that if at any time such approved school or college of pharmacy has, in the opinion

G. L. (Ter.
Ed.), 112,
new § 24B,
added.

Board and
commissioner
of education
to establish
standards.

of the board and said commissioner, lowered its standards below that established by the board and said commissioner, such certificate, after notice and hearing, may be revoked by the board and said commissioner.

Approved April 9, 1946.

Chap. 195 AN ACT PROVIDING A PREFERENCE TO PUBLIC SCHOOL TEACHERS SERVING ON TENURE WHEN A REDUCTION IN NUMBER OF TEACHERS IS NECESSARY BY REASON OF A DECREASE IN THE NUMBER OF PUPILS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 71, § 42, etc., amended.

Preference to teachers serving on tenure when decrease in number of pupils.

Section forty-two of chapter seventy-one of the General Laws, as amended by chapter one hundred and twenty-three of the acts of nineteen hundred and thirty-four, is hereby further amended by inserting after the word "advisable" in the twenty-seventh line the following sentence:— In case a decrease in the number of pupils in the schools of a town renders advisable the dismissal of one or more teachers, a teacher who is serving at the discretion of a school committee under section forty-one shall not be dismissed if there is a teacher not serving at discretion whose position the teacher serving at discretion is qualified to fill.

Approved April 9, 1946.

Chap. 196 AN ACT FURTHER REGULATING ABSENT REGISTRATION FOR VOTING BY THOSE WHO BY REASON OF PHYSICAL DISABILITY ARE UNABLE TO MAKE APPLICATION IN PERSON AT SESSIONS CALLED FOR THE PURPOSE OF REGISTERING VOTERS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 51, § 22A, etc., amended.

Absent registration officers.

SECTION 1. Chapter fifty-one of the General Laws is hereby amended by striking out section twenty-two A, inserted by section two of chapter seven hundred and fifteen of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 22A.* In every city and town the registrars of voters, or, in case the selectmen constitute the board of registrars of voters, the selectmen, may, before every election at which absent voting is permitted, appoint a sufficient number of absent registration officers who in addition to the registrars and the assistant registrars may attend persons claiming to have the qualifications for voting in their respective cities and towns, but who, by reason of physical disability, are unable to apply in person for registration, to examine such persons relative to their qualifications for voting and to register such of said persons as they find to be qualified. Such absent registration officers shall be appointed from the enrolled voters of their respective cities and towns and shall, as nearly as may be, equally represent the two leading political parties.

Absent registration officers appointed under this section shall, in the performance of their duties, have all the powers, and be subject to all the obligations and penalties, of registrars of voters, but their doings shall be under the direction, and subject to the revision and acceptance, of the registrars of voters.

Powers and duties.

SECTION 2. Said chapter fifty-one is hereby further amended by striking out section forty-two A, inserted by section five of said chapter seven hundred and fifteen, and inserting in place thereof the following section:— *Section 42A.* Any person claiming to have the qualifications for voting in any city or town who, by reason of physical disability, is unable to apply in person for registration may make application, in writing, to the registrars of voters of such city or town for registration in the manner hereinafter provided. Applications for registration under this section shall be made on forms provided by said registrars and worded substantially as follows:—

G. L. (Ter. Ed.), 51, § 42A, etc., amended.

Applications for absent registration because of physical disability.

To the Registrars of Voters or Election Commissioners of the City or Town of.....

I,....., hereby make application for registration as a voter.....and believe
(Street and Number)

that I have the qualifications for voting at elections held therein, but I am unable by reason of physical disability to appear in person and register as a voter.

I will be available for examination as to my qualifications for voting at.....
(Street and Number)
.....
(Date)

Signed under penalties of perjury.
.....
(Name of Applicant)

CERTIFICATE OF PHYSICIAN, HOSPITAL SUPERINTENDENT, REGISTERED NURSE OR CHRISTIAN SCIENCE PRACTITIONER.

I,....., certify that, in my opinion, the applicant,....., personally known to me, will by reason of physical disability be unable to appear in person to register prior to.....
Name
Residence
Designation

The form of application herein set forth when completed shall, not later than the third day prior to the last day for registration of voters, be returned by mail to the registrars of voters of the city or town to which such request is made. Applications received after said third day shall not be acted upon.

The registrars shall seasonably after receipt of an application for registration under this section delegate two registrars, assistant registrars or absent registration officers, equally representing the two leading political parties, to visit the person making the same, and the said officers, if satisfied that the applicant is unable by reason of physical disability to apply in person for registration, shall proceed to examine him as to his qualifications for voting in the

manner provided by this chapter. No such person shall be so examined after the close of registration nor in any city or town other than that in which he claims the right to vote; provided, that, if the applicant is in the military or naval service of the United States, he may be so examined not less than three days before an election and, if he is found to be qualified, a certificate of his registration shall be attached to the voting list prepared, under section fifty-five, for use thereat.

Approved April 9, 1946.

Chap. 197 AN ACT MAKING CERTAIN PROVISIONS OF LAW RELATING TO THE SOLEMNIZATION OF MARRIAGES APPLICABLE TO THE BAHÁ'IS, SO CALLED.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 207, § 30, etc., amended.

SECTION 1. Section thirty of chapter two hundred and seven of the General Laws, as most recently amended by section one of chapter two hundred and fourteen of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "rabbi" in the fourteenth line the words: — , chairman of an incorporated local spiritual assembly of the Baha'is, — so as to read as follows: — *Section 30.* Upon application by both of the parties to an intended marriage, when both parties are residents of the commonwealth or both parties are non-residents, or upon application of the party residing within the commonwealth when one of the parties is a resident and the other a non-resident, a judge of probate or a justice of a district court, or a special judge of probate and insolvency or special justice of a district court, may, after hearing such evidence as is presented, grant a certificate stating that in his opinion it is expedient that the intended marriage be solemnized without delay. Upon presentation of such a certificate, or, in extraordinary or emergency cases when the death of either party is imminent, upon the authoritative request of a minister, clergyman, priest, rabbi, chairman of an incorporated local spiritual assembly of the Baha'is or attending physician, the clerk or registrar of the town where the notice of intention has been filed shall at once issue the certificate prescribed in section twenty-eight.

Waiver of five-day marriage law.

Chairman of incorporated Baha'is may request waiver.

G. L. (Ter. Ed.), 207, § 38, etc., amended.

SECTION 2. Section thirty-eight of said chapter two hundred and seven, as most recently amended by chapter one hundred and sixty-two of the acts of nineteen hundred and thirty-two, is hereby further amended by inserting after the word "societies" in the twenty-fourth line the words: — , and it may be solemnized among the Baha'is by the chairman of an incorporated local spiritual assembly of the Baha'is according to the usage of their society, — so as to read as follows: — *Section 38.* A marriage may be solemnized in any place within the commonwealth by a minister of the gospel who resides in the commonwealth or who if a non-resident is the pastor of a church or denomination duly established in the commonwealth and who is recognized by

Solemnization of marriage.

his church or denomination as duly ordained and in good and regular standing as a minister of such church or denomination; by a rabbi of the Israelitish faith, duly licensed by a congregation of said faith established in the commonwealth, who has filed with the clerk or registrar of the city or town where such congregation is established, a certificate of the establishment of the synagogue therein, the date of his appointment thereto and of the term of his engagement; by a justice of the peace if he is also clerk or assistant clerk of a city or town, or a registrar or assistant registrar, in the city or town where he holds such office, or, if he is also clerk or assistant clerk of a court, in the city or town where the court is authorized to be held, or, if he has been designated as provided in the following section and has received a certificate of designation and has qualified thereunder, in the city or town where he resides; and it may be solemnized among Friends or Quakers according to the usage of their societies, and it may be solemnized among the Baha'is by the chairman of an incorporated local spiritual assembly of the Baha'is according to the usage of their society; but no person shall solemnize a marriage in the commonwealth unless he can read and write the English language.

Solemnized by chairman of incorporated assembly of Baha'is.

Churches and other religious organizations shall file in the office of the state secretary information relating to persons recognized or licensed as aforesaid, in such form and at such times as the secretary may require.

SECTION 3. Said chapter two hundred and seven is hereby further amended by striking out section forty, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 40.* Every justice of the peace, minister, rabbi, chairman of an incorporated local spiritual assembly of the Baha'is, and clerk or keeper of the records of a meeting wherein marriages among Friends or Quakers are solemnized shall make and keep a record of each marriage solemnized by him, or in such meeting, and of all facts relative to the marriage required to be recorded by section one of chapter forty-six. He shall also, between the first and tenth days of the month following each marriage solemnized by him, return each certificate issued under section twenty-eight to the clerk or registrar who issued the same; and if the marriage was solemnized in a town other than the place or places where the parties to the marriage resided, return a copy of the certificate, or of either certificate if two were issued, to the clerk or registrar of the town where the marriage was solemnized. Each certificate and copy so returned shall contain a statement giving the place and date of marriage, attested by the signature of the person who solemnized the same or of said chairman of an incorporated local spiritual assembly of the Baha'is or of said clerk or keeper of the records of a Friends or Quaker meeting. The person who solemnized the marriage shall add the title of the office by virtue of which the marriage was solemnized, as "justice of the peace", "minister of the

G. L. (Ter. Ed.), 207, § 40, amended.

Persons solemnizing marriages to keep records and make returns.

gospel", "clergyman", "priest", "rabbi", or "chairman of an incorporated local spiritual assembly", and his residence. All certificates or copies so returned shall be recorded by the clerk or registrar receiving them.

G. L. (Ter. Ed.), 207, § 42, amended.

Marriages valid though irregularly solemnized.

SECTION 4. Section forty-two of said chapter two hundred and seven, as so appearing, is hereby amended by inserting after the word "Quakers" in the third line the words: — or Baha'is, — so as to read as follows: — *Section 42.* A marriage solemnized by a person professing to be a justice of the peace having authority to solemnize marriages, a minister of the gospel or a rabbi, or solemnized among Friends or Quakers or Baha'is according to their usages, shall not be void, nor shall the validity thereof be in any way affected by want of authority in such person or society, or by an omission or by informality in the manner of filing the notice of intention, if the marriage is in other respects lawful and is consummated with a full belief of either of the persons so married that they have been lawfully married.

Approved April 10, 1946.

Chap. 198 AN ACT RELATIVE TO ZONING IN MULTIPLE RESIDENCE DISTRICTS AND GENERAL RESIDENCE DISTRICTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section three A of chapter four hundred and eighty-eight of the acts of nineteen hundred and twenty-four, as inserted by section five of chapter three hundred and seventy-three of the acts of nineteen hundred and forty-one, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph: —

(1) Any use permitted in a single residence district, subject to the conditions prescribed for such use in section three.

SECTION 2. Section four of said chapter four hundred and eighty-eight, as amended, is hereby further amended by striking out paragraph (1) and inserting in place thereof the following paragraph: —

(1) Any use permitted in a single residence district, subject to the conditions prescribed for such use in section three.

Approved April 10, 1946.

Chap. 199 AN ACT RELATIVE TO APPLICATIONS FOR ABATEMENT OF CERTAIN LOCAL TAXES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 59, § 59, etc., amended.

Application for abatement.

SECTION 1. Section fifty-nine of chapter fifty-nine of the General Laws, as most recently amended by section four of chapter six hundred and twenty-one of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — A person upon whom a tax has been assessed or the administrator of the estate of such a person or the executor or trustee under the will of

such a person, if aggrieved by such tax, may, except as hereinafter otherwise provided, on or before October first of the year to which the tax relates or, if the tax is other than a poll tax and the bill or notice was first sent after September first of such year, on or before the thirtieth day after the date on which the bill or notice was so sent, apply in writing to the assessors, on a form approved by the commissioner, for an abatement thereof, and if they find him taxed at more than his just proportion, or upon an assessment of any of his property in excess of its fair cash value, they shall make a reasonable abatement; provided, that a person aggrieved by a tax assessed upon him under section seventy-five or reassessed upon him under section seventy-seven may apply for such abatement at any time within three months after the bill or notice of such assessment or reassessment is first sent to him.

SECTION 2. This act shall not operate to reduce any period of limitation which has commenced to run prior to the time it takes effect.

Approved April 10, 1946.

AN ACT TO AUTHORIZE THE PLACING OF THE OFFICE OF CHIEF OF POLICE OF THE CITY OF TAUNTON UNDER CIVIL SERVICE LAWS. Chap. 200

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the city of Taunton shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to permanent members of police departments in cities, and the tenure of office of any incumbent of said office shall be unlimited, subject, however, to said laws; provided, that the incumbent of said office on said effective date shall continue to serve therein under his present appointment only until the qualification of a person appointed thereto after a competitive civil service examination, which examination shall be held by the director of civil service as soon as practical after the placing of said office within the classified civil service, but such service by said incumbent shall not be deemed to be subject to chapter thirty-one of the General Laws. After the establishment of the eligible list, appointment to said office shall be made by a majority of the members of the municipal council of said city from those persons who have qualified under said civil service, and in accordance with the civil service laws and rules.

SECTION 2. So much of section seventeen of chapter four hundred and forty-eight of the acts of nineteen hundred and nine and of any other special law as is inconsistent herewith is hereby repealed, and any provision of general law in so far as inconsistent herewith shall be inoperative with respect to such city.

SECTION 3. This act shall be submitted for acceptance to the registered voters of the city of Taunton at the next biennial state election in the form of the following question,

which shall be placed upon the official ballot to be used in said city at said election:—

Shall the city vote to place the office of chief of police of the city of Taunton within the classified civil service and the position be filled as a result of open competitive examination?

YES.	
NO.	

If a majority of the voters voting thereon votes in the affirmative, then this act shall take full effect, but not otherwise.

Approved April 10, 1946.

Chap.201 AN ACT CHANGING THE DATE FOR THE OBSERVANCE OF ARBOR AND BIRD DAY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend in part to defeat its purpose, which is to make immediately operative during the current year the change of date for the observance of Arbor and Bird Day, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 6, § 15,
amended.

Section fifteen of chapter six of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the second line, the word "Saturday" and inserting in place thereof the word:— Friday,— and by striking out, in the eighth line, the words "the Friday preceding" and inserting in place thereof the words:— such day,— so as to read as follows:— *Section 15.* The governor shall annually issue a proclamation setting apart the last Friday in April as Arbor and Bird Day, recommending its observance by the public in the planting of trees, shrubs and vines, particularly those attractive to birds, in the promotion of forest growth and culture, in the adornment of public and private grounds, places and ways, and in such other efforts and undertakings as shall harmonize with the general character of the day. He shall further recommend that such day be observed in rural and suburban schools by exercises appropriate to Arbor and Bird Day.

Observance
of Arbor
and Bird Day.

Approved April 11, 1946.

Chap.202 AN ACT RELATIVE TO THE TERMINATION OF TENANCIES AT WILL FOR NON-PAYMENT OF RENT.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prevent the termination of tenancies at will in certain cases during the present housing shortage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 186, § 12,
amended.

Chapter one hundred and eighty-six of the General Laws is hereby amended by striking out section twelve, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 12.* Estates at will

Termination
of tenancy

may be determined by either party by three months' notice in writing for that purpose given to the other party; and, if the rent reserved is payable at periods of less than three months, the time of such notice shall be sufficient if it is equal to the interval between the days of payment. In case of neglect or refusal to pay the rent due from a tenant at will, fourteen days' notice to quit, given in writing by the landlord to the tenant, shall be sufficient to determine the tenancy; provided, that the tenancy of a tenant who has not received a similar notice from the landlord within the twelve months next preceding the receipt of such notice shall not be determined if, within five days after the receipt thereof, he pays or tenders to the landlord the full amount of rent due.

at will by
notice to quit.

Approved April 11, 1946.

AN ACT RELATIVE TO CERTAIN LINES, POLES, AND OTHER EQUIPMENT OF THE LYNN GAS AND ELECTRIC COMPANY, THE NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY AND THE WESTERN UNION TELEGRAPH COMPANY IN THE CITY OF LYNN AND TOWNS OF NAHANT, SAUGUS, AND SWAMPSCOTT.

Chap. 203

Be it enacted, etc., as follows:

SECTION 1. All lines for the transmission of electricity for lighting, heating or power heretofore erected or acquired by Lynn Gas and Electric Company, and all such lines heretofore erected or acquired by New England Telephone and Telegraph Company, American Telephone and Telegraph Company or by The Western Union Telegraph Company, for the transmission of intelligence by electricity or by telephone, upon, along, under and across the public ways and places of the city of Lynn, and of the towns of Nahant, Saugus and Swampscott, and the poles, piers, abutments, conduits and other fixtures necessary to sustain, protect or operate the wires and cables of said lines, which are actually in place on the effective date of this act, are hereby made lawful, notwithstanding the lack of any valid locations therefor, or any informality in the proceedings relative to their location and erection; provided, that the validation aforesaid shall not be effective as to the lines, structures or fixtures aforesaid of any one of said companies in said city or in any one of said towns unless the company owning the same shall have filed with the clerk of said city or of such town not later than December thirty-first, nineteen hundred and forty-six, a map or maps showing the location of such lines, structures and fixtures in said city or in such town, such map or maps so filed to be recorded and kept with the records of original locations for poles and wires in said city or in such town.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1946.

Chap. 204 AN ACT PROVIDING FOR THE RECORDING OF AMENDED OR SUBSTITUTED AFFIDAVITS OF SALE UNDER REAL ESTATE MORTGAGES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 244, § 15, amended.

Recording of amended or substitute affidavits may be authorized.

Section fifteen of chapter two hundred and forty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence: — In case of an error or omission in an affidavit recorded as aforesaid, the land court, on petition and after such notice as it may order may, if it deems proper, authorize the recording of an affidavit amending, correcting, or in substitution for, an affidavit so recorded, and the affidavit so authorized to be recorded, or a certified copy of the record thereof, shall have the same effect and shall be admitted as evidence, as if it had been recorded within said thirty days, but such a subsequent affidavit shall not prejudicially affect any title or interest in land which may have arisen or have been created between the recording of the original and of the subsequent affidavit.

Approved April 11, 1946.

Chap. 205 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY TO CERTAIN EMPLOYEES THEREOF ADDITIONAL COMPENSATION COVERING A PERIOD DURING WHICH THE MATTER OF THEIR CLASSIFICATIONS AND SALARY RANGES WAS BEING DETERMINED ON APPEAL.

Be it enacted, etc., as follows:

SECTION 1. There shall be paid from the treasury of the city of Boston to each employee of said city whose position was classified and salary range established by decision of the director of civil service subsequent to the year nineteen hundred and forty-one, and who appealed from said decision and in consequence of said appeal received a higher classification and salary, an amount equal to the difference between the amount of salary actually received by such employee and the amount which such employee would have received if such higher salary rating had been in effect from the date of said decision of said director to the date of the decision on appeal.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1946.

Chap. 206 AN ACT RELATIVE TO THE ELECTION AND TERMS OF OFFICE OF ASSESSORS IN THE TOWN OF DARTMOUTH.

Be it enacted, etc., as follows:

Notwithstanding any provision of the General Laws to the contrary, if the town of Dartmouth shall accept the provisions of this act as hereinafter provided, it shall in the year next following the year of such acceptance elect a principal assessor, who shall serve as chairman of the board of assessors for a term of three years, an assessor for a term of

two years and an assessor for a term of one year. At the expiration of said terms, the term of the office of the principal assessor and of the other assessors respectively shall be three years. Upon the qualification of the principal assessor and the other assessors first elected under authority of this act, the terms of office of the assessors then in office shall cease and determine. This act may be accepted at the next annual election of town officers and the selectmen shall direct the town clerk to cause the question of acceptance to be placed upon the official ballot for said election.

Approved April 11, 1946.

AN ACT RELATIVE TO THE LICENSED OPERATION ON THE LORD'S DAY OF BOWLING ALLEYS. Chap. 207

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter one hundred and thirty-six of the General Laws, as most recently amended by chapter seventy-eight of the acts of nineteen hundred and thirty-five, is hereby further amended by inserting after the letter "A" in the seventeenth line the words: — or four B, — so as to read as follows:— *Section 2.* Whoever on the Lord's day is present at a game, sport, play or public diversion, except a concert of sacred music, a public entertainment duly licensed as provided in section four or a free open air concert given by a town, or by license of the mayor or the selectmen, upon a common or public park, street or square, or except a game of golf conducted on an open air golf course other than a miniature golf course, so called, or except a game of tennis or dancing at a wedding if no charge is made for being present or for dancing, shall be punished by a fine of not more than five dollars. Whoever on the Lord's day takes part in any game, sport, play or public diversion, except as aforesaid, shall be punished by a fine of not more than fifty dollars. This and the following section shall not apply to amusement enterprises lawfully conducted under section four A or four B or to sports or games conducted in accordance with sections twenty-one to twenty-five, inclusive, in any city or town which accepts said sections or in accordance with sections twenty-six to thirty-two, inclusive, in any city or town in which said sections twenty-six to thirty-two are then in force.

G. L. (Ter. Ed.), 136, § 2, etc., amended.

Being present at or taking part in certain entertainments on Lord's day prohibited.

SECTION 2. Section four A of said chapter one hundred and thirty-six, as most recently amended by section one of chapter three hundred and nine of the acts of nineteen hundred and thirty-three, is hereby further amended by adding at the end the following sentence: — So much of this section as relates to the maintenance and operation of bowling alleys shall not apply in any city or town which shall have accepted the provisions of section four B.

G. L. (Ter. Ed.), 136, § 4A, etc., amended.

Bowling alleys authorized in certain cities or towns.

SECTION 3. Said chapter one hundred and thirty-six is hereby further amended by inserting after section four A, as amended, the following section:— *Section 4B.* In any

G. L. (Ter. Ed.), 136, new § 4B, added.

License for
operation on
Lord's day of
bowling alleys.

city which accepts this section by vote of its city council and in any town which accepts this section by vote of its inhabitants, the city council, with the approval of the mayor, or the selectmen, as the case may be, may grant licenses for the operation of bowling alleys on the Lord's day between the hours of one and eleven post meridian; provided, that no such license may authorize the operation of bowling alleys on Easter, or on Christmas day if such day falls on the Lord's day. Every license granted hereunder shall specify the location of the place of business in which the license is to be exercised, and the license shall not be valid in any other place. Bowling alleys operated under such licenses shall be operated subject to such regulations and restrictions as shall be prescribed from time to time by the city council, with the approval of the mayor, or by the selectmen. Said regulations and restrictions shall be stated in the license. Said licensing authorities may at any time and without previous notice revoke licenses issued under this section if they have reason to believe that any provision of this section, or of any regulation or restriction prescribed thereunder, is being or will be violated.

G. L. (Ter.
Ed.), 136, § 6,
etc., amended.

SECTION 4. Section six of said chapter one hundred and thirty-six, as most recently amended by chapter four hundred and seventy-three of the acts of nineteen hundred and forty-three, is hereby further amended by striking out the last paragraph, as appearing in section six of chapter three hundred and seventy-three of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following paragraph:—

Lord's day.

Nor shall it prohibit the conduct of any enterprise lawfully conducted under section four A or section four B.

Approved April 12, 1946.

Chap. 208 AN ACT AUTHORIZING THE TOWN OF DUDLEY TO CONTRIBUTE TOWARD THE EXPENSE OF THE CELEBRATION BY THE TOWN OF WEBSTER OF THE RETURN OF THE MEN AND WOMEN WHO SERVED IN OR WERE AFFILIATED OR ASSOCIATED WITH THE ARMED FORCES OF THE UNITED STATES IN WORLD WAR II.

Be it enacted, etc., as follows:

SECTION 1. The town of Dudley may appropriate money for the purpose of contributing toward the expense of the celebration by the town of Webster, under the provisions of chapter one of the acts of the current year, of the return of men and women who served in or were affiliated or associated with any branch of the armed forces of the United States in World War II.

SECTION 2. This act shall take effect upon its passage.

Approved April 12, 1946.

AN ACT PROVIDING FOR THE APPLICATION OF CERTAIN LAWS AFFECTING VETERANS AND THEIR ORGANIZATIONS TO THE MARINE CORPS LEAGUE. *Chap. 209*

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter five of the General Laws, as amended by section one of chapter two hundred and forty-five of the acts of nineteen hundred and thirty-three, is hereby further amended by inserting after the word "War" in the fifth line the words: — , Marine Corps League, — and by inserting after the word "War" in the twenty-fourth line the words: — , one copy of the volume relating to the Marine Corps League to each detachment of the Marine Corps League, — so as to read as follows: — *Section 9.* The state secretary shall annually procure copies of the proceedings of the annual encampments of the departments of Massachusetts, Grand Army of the Republic, United Spanish War Veterans, The American Legion, Disabled American Veterans of the World War, Marine Corps League and Veterans of Foreign Wars of the United States, held in that year, with the general and special orders, circulars and other papers forming parts thereof, and shall cause the same to be kept as parts of the records of the commonwealth. He shall annually cause copies thereof, including in the case of those relating to the Grand Army of the Republic the portraits of the department officers and staff and of the executive committee of the national encampment, to be printed and bound; and shall cause one printed and bound copy of each to be sent to each town library in the commonwealth. He shall also send one copy of each volume relating to the Grand Army of the Republic to each Grand Army post, one copy of the volume relating to the United Spanish War Veterans to each camp of Spanish War Veterans, one copy of the volume relating to The American Legion to each post of The American Legion, one copy of the volume relating to the Disabled American Veterans of the World War to each chapter of the Disabled American Veterans of the World War, one copy of the volume relating to the Marine Corps League to each detachment of the Marine Corps League, and one copy of the volume relating to the Veterans of Foreign Wars to each post of the Veterans of Foreign Wars of the United States, in the commonwealth. He shall cause the other copies of each to be distributed in the same manner as the annual report of the state secretary.

G. L. (Ter. Ed.), 5, § 9, etc., amended.

Preservation, etc., of copies of proceedings of Massachusetts department of Marine Corps League and other war veterans' organizations.

SECTION 2. Section nine of chapter forty of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter fifty-one of the acts of the current year, and inserting in place thereof the following paragraph: — A city or town may for the purpose of providing suitable headquarters for a post or posts of The American Legion and of the Veterans of Foreign Wars of the United States and for a chapter or chapters of the Disabled American Veterans of the World War and for a post or

G. L. (Ter. Ed.), 40, § 9, etc., amended.

Municipalities authorized to provide quarters for Marine Corps League and other war veterans' organizations.

posts of the Jewish War Veterans of the United States and for a post or posts of La Legion Franco-Americaine des Etats-Unis d'Amerique, and for a detachment or detachments of the Marine Corps League, lease for a period not exceeding five years buildings or parts of buildings which shall be under the direction and control of such post or posts, or chapter or chapters, or detachment or detachments subject to regulations made in cities by the mayor with the approval of the council and in towns by vote of the town, and for said purposes a town with a valuation of less than five million dollars may annually appropriate not more than two thousand dollars; a town with a valuation of five million dollars but not more than twenty million dollars may annually appropriate not more than three thousand dollars; a town with a valuation of more than twenty million dollars but not more than seventy-five million dollars may annually appropriate not more than four thousand dollars; a town with a valuation of more than seventy-five million dollars but not more than one hundred and fifty million dollars may annually appropriate not more than five thousand dollars; and a town with a valuation of more than one hundred and fifty million dollars may annually appropriate five thousand dollars for each one hundred and fifty million dollars of valuation, or fraction thereof. The city council of a city may, by a two thirds vote, appropriate money for armories for the use of the state militia, for the celebration of holidays, for the purpose of providing or defraying the expenses of suitable quarters for posts of the Grand Army of the Republic, including the heating and lighting of such quarters, and for other like public purposes to an amount not exceeding in any one year one fiftieth of one per cent of its valuation for such year.

G. L. (Ter. Ed.), 266, § 70, etc., amended.

SECTION 3. Section seventy of chapter two hundred and sixty-six of the General Laws, as amended, is hereby further amended by striking out, in the eleventh line, as appearing in section three of chapter two hundred and seventeen of the acts of nineteen hundred and forty-one, the words "or the American Legion" and inserting in place thereof the words:—, The American Legion or the Marine Corps League,— so as to read as follows:— *Section 70.* Whoever, not being a member of the Military Order of the Loyal Legion of the United States, the Grand Army of the Republic, the Sons of Union Veterans of the Civil War, the Woman's Relief Corps, the Union Veterans' Union, the Union Veteran Legion, the Military and Naval Order of the Spanish-American War, the United Spanish War Veterans, the American Officers of the Great War, the Veterans of Foreign Wars of the United States, the Military Order of Foreign Wars of the United States, the Disabled American Veterans of the World War, the Yankee Division Veterans' Association, The American Legion or the Marine Corps League, wilfully wears or uses the insignia, distinctive ribbons or membership rosette or button thereof for the

Unlawful use of insignia of Marine Corps League and other war veterans' organizations.

purpose of representing that he is a member thereof shall be punished by a fine of not more than twenty dollars or by imprisonment for not more than one month, or both.

Approved April 12, 1946.

AN ACT MAKING CERTAIN CHANGES IN THE VETERANS' BONUS ACT, SO CALLED. Chap.210

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately eliminate certain inequalities now existing in the Veterans' Bonus Act, so called, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five is hereby amended by striking out section one and inserting in place thereof the following:—*Section 1.* Upon application, as hereinafter provided, there shall be allowed and paid out of the treasury of the commonwealth, without appropriation and without a warrant from the governor and council, to each person who shall have served in the armed forces of the United States on or after September sixteenth, nineteen hundred and forty and prior to the termination of the present war, as declared by presidential proclamation or concurrent resolution of the congress, and shall have received a discharge or release, other than a dishonorable one, from such service, the sum of one hundred dollars; provided, that the domicile of every person on account of whose service the application is filed shall have been in the commonwealth for a period of not less than six months immediately prior to the time of his entry into service.

SECTION 2. Section two of said chapter seven hundred and thirty-one is hereby amended by inserting after the word "Guard" in the fifth line the words: — , United States Coast Guard Reserve,— so as to read as follows:—*Section 2.* The words "armed forces", as used in this act, shall mean the following:— United States Army, Army of the United States, United States Navy, United States Naval Reserve, United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard, United States Coast Guard Reserve, Women's Army Corps, Women's Auxiliary — Navy, Women's Auxiliary — United States Marine Corps, Women's Auxiliary — United States Coast Guard, Army Nurse Corps and Navy Nurse Corps.

Approved April 15 1946.

AN ACT RELATIVE TO THE EFFECT OF A VACANCY IN THE OFFICE OF ASSESSOR. Chap.211

Be it enacted, etc., as follows:

Chapter forty-one of the General Laws is hereby amended by inserting after section thirty, as appearing in the Tercentenary Edition, the following section:—*Section 30A.*

G. L. (Ter.
Ed.), 41, new
§ 30A, added.
Effect of a
vacancy in

the office of
assessor.

A vacancy in the office of assessor shall not divest or suspend the authority and powers of the remaining assessors, notwithstanding any provision of special law making mandatory the filling of vacancies.

Approved April 15, 1946.

Chap.212 AN ACT PROVIDING THAT INTEREST FROM THE DATE OF THE WRIT SHALL BE ADDED TO THE AMOUNT OF DAMAGES AWARDED IN CERTAIN CIVIL ACTIONS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 231,
new § 6B,
added.

SECTION 1. Chapter two hundred and thirty-one of the General Laws is hereby amended by inserting after section six A, inserted by section one of chapter three hundred and seventy-two of the acts of nineteen hundred and thirty-nine, the following section: — *Section 6B.* In any action of tort in which a verdict is rendered or a finding made for pecuniary damages for personal injuries to the plaintiff or for consequential damages, or for damage to property, there shall be added to the amount of damages interest thereon from the date of the writ, even though such interest brings the amount of the verdict or finding beyond the maximum liability imposed by law.

G. L. (Ter.
Ed.), 231,
§ 141, etc.,
amended.

SECTION 2. Section one hundred and forty-one of said chapter two hundred and thirty-one, as most recently amended by section two of chapter three hundred and fifty-two of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "six" in the second line the following: — , six B.

Effective date.

SECTION 3. This act shall become operative on September first, nineteen hundred and forty-six, but shall not apply to any cause of action accruing prior thereto.

Approved April 15, 1946.

Chap.213 AN ACT RELATIVE TO SLAUGHTERING OF CERTAIN ANIMALS AND INSPECTING, STAMPING OR BRANDING AND SELLING THE CARCASSES OF SUCH ANIMALS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend in part to defeat its principal purpose, which is immediately to curb the black-market, so called, in meat, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 94, § 126,
amended.

SECTION 1. Section one hundred and twenty-six of chapter ninety-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "therein" in the fourth line the following: — and, upon request of a person referred to in section one hundred and thirty-three, at such person's premises when any of the animals mentioned in said section are to be slaughtered thereon with the intention of selling their carcasses, — so as to read as follows: — *Section 126.* An inspector appointed by the local board of health, or member of such board of health

Inspection
of carcasses.

acting as such inspector, shall be present at each licensed slaughter house or establishment upon each day when slaughtering is allowed by law to be carried on therein and, upon request of a person referred to in section one hundred and thirty-three, at such person's premises when any of the animals mentioned in said section are to be slaughtered thereon with the intention of selling their carcasses, and shall carefully examine the carcasses of all animals at the time of slaughter. Such inspection shall be made in such manner and under such rules and regulations as the department of public health may determine and direct. If, in the opinion of such inspector or member, any carcass, or any meat or product thereof is diseased, corrupted, unwholesome or unfit for food, he shall seize it and cause it to be destroyed, as provided in section one hundred and forty-six.

SECTION 2. Section one hundred and twenty-eight of said chapter ninety-four, as so appearing, is hereby amended by inserting after the word "inclusive" in the second and third lines the following: —, one hundred and thirty-three, — so as to read as follows: — *Section 128.* For the purposes of sections one hundred and nineteen, one hundred and twenty-five to one hundred and twenty-seven, inclusive, one hundred and thirty-three, and one hundred and forty-seven, said inspectors shall be appointed and compensated, and may be removed, in the manner provided for inspectors of animals, under sections fifteen to seventeen, inclusive, of chapter one hundred and twenty-nine, except that in respect to such first named inspectors, local boards of health and the department of public health shall perform the duties and exercise the authority imposed by said sections upon the mayor or selectmen and upon the director of animal industry, respectively, as to inspectors of animals.

G. L. (Ter. Ed.), 94, § 128, amended.

Appointment, compensation, etc., of certain inspectors.

SECTION 3. Said chapter ninety-four is hereby further amended by striking out section one hundred and twenty-nine, as so appearing, and inserting in place thereof the following section: — *Section 129.* Carcasses of animals slaughtered under sections one hundred and eighteen, one hundred and nineteen, one hundred and twenty-five to one hundred and twenty-seven, inclusive, and one hundred and thirty-three and not stamped or branded as provided in section one hundred and twenty-seven, and all other carcasses of neat cattle, horses, mules, sheep or swine which have not been slaughtered, inspected and stamped or branded, as provided in said sections, shall be deemed unfit for human food and shall not be sold or offered for sale.

G. L. (Ter. Ed.), 94, § 129, amended.

Carcasses of certain animals deemed unfit for food.

SECTION 4. Section one hundred and thirty of said chapter ninety-four, as so appearing, is hereby amended by striking out, in the second to the fourth lines, inclusive, the words "required by section one hundred and twenty-seven to be stamped or branded, and which has not been stamped or branded as therein provided" and inserting in place thereof the words: — deemed unfit for human food, as provided in section one hundred and twenty-nine, — and

G. L. (Ter. Ed.), 94, § 130, amended.

Penalty for
sale, etc., of
unstamped
or falsely
stamped
carcasses.

by striking out, in the sixth line, the words "said section" and inserting in place thereof the words:—section one hundred and twenty-seven or one hundred and thirty-three,—so as to read as follows:—*Section 130*. Whoever sells, or offers for sale, or has in his possession with intent to sell, a carcass or any part thereof deemed unfit for human food, as provided in section one hundred and twenty-nine, or whoever, not being a member of a local board of health or a duly appointed inspector, stamps or brands a carcass or any part thereof required by section one hundred and twenty-seven or one hundred and thirty-three to be stamped or branded, or whoever being a member of a board of health or a duly appointed inspector permits or allows the use of his stamp or brand by one not a member of a board of health or a duly appointed inspector, or whoever counterfeits any stamp or brand required by section one hundred and twenty-seven, or whoever stamps or brands any carcass or any part thereof with any counterfeit stamp or brand, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than two months, or both.

G. L. (Ter.
Ed.), 94, § 133,
etc., amended.

SECTION 5. Section one hundred and thirty-three of said chapter ninety-four, as amended by section seven of chapter three hundred and thirty-two of the acts of nineteen hundred and forty-three, is hereby further amended by striking out, in the seventh and eighth lines, the words "but the carcass of any such animal, intended for sale, shall be inspected, and," and inserting in place thereof the words:—but no such person shall so slaughter or cause to be slaughtered any such animal, the carcass of which is intended for sale, except in the presence of an inspector, and such carcass,—so as to read as follows:—*Section 133*. Sections one hundred and eighteen, one hundred and nineteen, one hundred and twenty-five to one hundred and twenty-seven, inclusive, one hundred and twenty-nine and one hundred and thirty, shall not apply to a person not engaged in the slaughtering business, who, upon his own premises and not in a slaughter house, slaughters his own neat cattle, horses, mules, sheep or swine, but no such person shall so slaughter or cause to be slaughtered any such animal, the carcass of which is intended for sale, except in the presence of an inspector, and such carcass, unless condemned, shall be stamped or branded under section one hundred and twenty-seven by an inspector at the time of slaughter.

Private
slaughter
houses.

G. L. (Ter.
Ed.), 94,
new § 133A,
added.

Slaughter of
certain animals
prohibited.

SECTION 6. Said chapter ninety-four is hereby further amended by inserting after section one hundred and thirty-three, as amended, the following section:—*Section 133A*. Except as provided in sections one hundred and eighteen, one hundred and twenty-five to one hundred and twenty-seven, inclusive, and one hundred and thirty-three, no person shall slaughter any neat cattle, horses, mules, sheep or swine the carcasses of which are intended for sale.

SECTION 7. Section one hundred and thirty-four of said chapter ninety-four, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the third line, the words "and one hundred and thirty-three" and inserting in place thereof the words:—, one hundred and thirty-three and one hundred and thirty-three A,—so as to read as follows:— *Section 134.* Whoever violates any provision of sections one hundred and nineteen, one hundred and twenty-five, one hundred and twenty-six, one hundred and thirty-three and one hundred and thirty-three A shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than two months, or both.

G. L. (Ter. Ed.), 94, § 134, amended.

General penalty.

SECTION 8. Section one hundred and thirty-nine of said chapter ninety-four, as so appearing, is hereby amended by inserting after the word "thirty-three" in the second line the words:—, one hundred and thirty-three A,—so as to read as follows:— *Section 139.* Sections one hundred and twenty-one to one hundred and twenty-four, inclusive, one hundred and thirty-three, one hundred and thirty-three A and one hundred and thirty-eight shall not affect section one hundred and forty-seven; provided, that said first mentioned sections shall not permit the sale, offering for sale, or keeping with intent to sell, for food, of meat infected in any degree with tuberculosis or other disease.

G. L. (Ter. Ed.), 94, § 139, amended.

Certain provisions of law not affected.

Approved April 16, 1946.

AN ACT RELATIVE TO THE ESTABLISHMENT OF THROUGH ROUTES, JOINT RATES, FARES AND CHARGES FOR THE TRANSPORTATION OF PASSENGERS AND PROPERTY OVER THE LINES OF RAILROAD COMPANIES AND STEAMSHIP COMPANIES.

Chap. 214

Whereas, Conditions have arisen necessitating the immediate use of the provisions of law contained in this act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

Section twenty-one of chapter one hundred and fifty-nine of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the first sentence the following sentence:— The foregoing provisions of this section shall apply to a railroad company and a steamship company whose lines form or can be made to form a continuous or connecting line of transportation by transfer of property or passengers at connecting points, whether or not such railroad company and steamship company are commonly owned, operated, leased, or controlled by stock ownership, or otherwise.

G. L. (Ter. Ed.), 159, § 21, amended.

Establishment of through routes, joint rates, etc., for passengers and freight.

Approved April 16, 1946.

Chap.215 AN ACT AUTHORIZING THE CONSTRUCTION OF CERTAIN BUILDINGS AT THE ESSEX COUNTY AGRICULTURAL SCHOOL AND THE REMODELING OF AND THE MAKING OF AN ADDITION TO AN EXISTING BUILDING THEREAT.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Essex County Agricultural School are hereby authorized to construct a boys' dormitory and a small practice cottage, and to remodel and to make an addition to the present homemaking building, for the use of said school. For the above purposes, the county commissioners of Essex county may, from time to time, borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, one hundred and twenty-five thousand dollars, and may issue bonds or notes of the county therefor. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by the county commissioners of the county of Essex, but not otherwise.

Approved April 16, 1946.

Chap.216 AN ACT FURTHER DEFINING THE WORD "VETERAN" UNDER THE VETERANS' PREFERENCE PROVISIONS OF THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 31, § 21, etc., amended.

Term "veteran" defined.

Section twenty-one of chapter thirty-one of the General Laws, as amended by chapter four hundred and sixty-nine of the acts of nineteen hundred and forty-three, is hereby further amended by inserting after the word "insurrection" in the fourth line the words: — , or in any campaign or expedition for which a campaign badge has been authorized, — so as to read as follows: — *Section 21.* The word "veteran", as used in this chapter, shall mean (1) any person who has served in the army, navy, coast guard or marine corps of the United States in time of war or insurrection, or in any campaign or expedition for which a campaign badge has been authorized, and whose last discharge or release from active duty therein was an honorable one, regardless of any prior discharge or release therefrom, or (2) any person who has distinguished himself by gallant or heroic conduct while serving in the army, navy, coast guard or marine corps of the United States and has received a decoration desig-

nated as the congressional medal of honor from the president of the United States or the secretary of war, or from a person designated by the president or the said secretary to act as the personal representative of the president or said secretary for the presentation of such decoration, and is recorded in the files of the war department or the navy department of the United States as having received such decoration, or (3) any person who has served in time of war or insurrection in any corps or unit of the United States established for the purpose of enabling women to serve with, or as auxiliary to, the armed forces of the United States, and whose last discharge or release from active duty in such corps or unit was an honorable one, regardless of any prior discharge or release therefrom; provided, that the person claiming to be a veteran under this section was a citizen of the commonwealth at the time of his induction into such service or has resided in the commonwealth for five consecutive years next prior to the date of filing application with the director under this chapter; and provided, further, that any such person who at the time of entering said service had declared his intention to become a subject or citizen of the United States and withdrew such intention under the provisions of the act of congress approved July ninth, nineteen hundred and eighteen, and any person designated as a conscientious objector upon his discharge, shall not be deemed a "veteran" within the meaning of this chapter; and provided, further, that no member of the United States coast guard auxiliary and no temporary member of the United States coast guard reserve shall be deemed a "veteran" within the meaning of this chapter.

Approved April 17, 1946.

AN ACT AUTHORIZING THE TOWN OF MERRIMAC TO BORROW *Chap.217*
MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for, and the constructing of, a new consolidated school building, including the original equipment and furnishing of such new building, the town of Merrimac may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Merrimac School Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates, but no issue shall be authorized under the provisions of this act unless a sum equal to twenty-five cents on each one thousand dollars of the assessed valuation of the town for the year preceding the vote has been appropriated from available funds or voted to be raised by taxation for said purpose in the year in which the loan is authorized. Indebtedness

incurred under this act shall be in excess of the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved April 17, 1946.

Chap.218 AN ACT INCREASING THE AMOUNTS OF CERTAIN ANNUITIES PAYABLE BY THE CITY OF BOSTON UNDER SPECIAL LAW TO THE WIDOWS OF FORMER POLICEMEN AND FIREMEN.

Be it enacted, etc., as follows:

SECTION 1. Annuities payable to the widows of former policemen and firemen of the city of Boston under the provisions of any special law shall, on and after the effective date of this act, be in the sum of one thousand dollars in all cases where a less amount is specified in such special law.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved April 17, 1946.

Chap.219 AN ACT RELATIVE TO THE ESTABLISHING OF A RIGHT OF WAY FOR PUBLIC ACCESS TO RICHMOND POND IN THE TOWN OF RICHMOND AND THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred and twenty-two of the acts of nineteen hundred and forty-five is hereby amended by inserting after the word "Richmond", the first time it occurs in the third line, the words:— or in the city of Pittsfield, or partly in each,— so as to read as follows:— *Section 1.* The county commissioners of Berkshire county are hereby authorized and directed to lay out a right of way in the town of Richmond or in the city of Pittsfield, or partly in each, to Richmond pond for public access to said pond, in accordance with plans to be approved by the department of public works and showing the location and dimensions of such right of way, but such right of way shall not cross the location of any railroad. If it is necessary to acquire land for the purpose of laying out such right of way said county commissioners shall at the time such right of way is laid out take such land by eminent domain under chapter seventy-nine of the General Laws. Any person sustaining damages in his property by the laying out of such right of way, or by specific repairs or improvements thereon, shall be entitled to recover the same under said chapter seventy-nine; provided, that the right to recover damages, if any, by reason of the laying out of such right of way, shall vest upon the recording of the order of taking by said county commissioners and that no entry or possession for the purpose of constructing a

public way on land so taken shall be required for the purpose of validating such taking or for the payment of damages by reason thereof.

SECTION 2. Said chapter four hundred and twenty-two is hereby further amended by striking out section two and inserting in place thereof the following section: — *Section 2.* The selectmen of the town of Richmond or the officers of the city of Pittsfield having charge of the maintenance of ways therein may from time to time make specific repairs on or improve so much of such way as lies within the limits of their town or city to such extent as they may deem necessary, but neither the county of Berkshire, nor any city or town therein, shall be required to keep such right of way in repair, nor shall they be liable for injury sustained by persons traveling thereon; provided, that sufficient notice to warn the public is posted where such way enters upon or unites with an existing public way. *Approved April 17, 1946.*

AN ACT ESTABLISHING THE UPTON CENTER WATER DISTRICT *Chap.220*
IN THE TOWN OF UPTON.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Upton, liable to taxation in said town, and residing within the territory comprised within the following boundary lines, to wit:— beginning at a point in the center line of Mendon street, eighteen hundred feet southeast of the intersection of the center lines of Grove and Mendon streets; thence, northeasterly at a right angle to Mendon street three hundred feet to a point; thence northwesterly by a line three hundred feet from and parallel to the easterly lines of Mendon street and Grove street to a point; thence easterly and northerly by a line three hundred feet from and parallel to the southerly and easterly line of Piccadilly street to a point; thence easterly by a line three hundred feet from and parallel to the southwesterly line of Milford road to a point; thence at a right angle to the center line of Prospect street through the intersection of said center line with the center line of Milford road to a point; thence northwesterly by a line three hundred feet from and parallel to the northeasterly line of Milford road to a point; thence northeasterly by a line three hundred feet from and parallel to the easterly line of Elm street to a point; thence easterly by a line parallel to and three hundred feet from the southerly line of Christian Hill road to a point; thence by a line parallel to and three hundred feet from the southerly line of Pearl street to a point; thence northerly by a line parallel to and three hundred feet from the easterly line of Wagon road, to a point; thence westerly by a line three hundred feet from and parallel to the northerly line of Christian Hill road to a point; thence northerly and northeasterly by a line three hundred feet from and parallel to the easterly line of Elm street to a point; thence at a right angle to Elm street through the

intersection of the center lines of Elm street and Taft street to a point; thence southwesterly by a line three hundred feet from and parallel to the northwesterly line of Elm street to a point; thence northwesterly by a line three hundred feet from and parallel to the northeasterly line of a street commonly known as Schoolhouse road crossing Hopkinton road at a right angle to a point; thence southwesterly by a line parallel to and three hundred feet from the northwesterly line of Hopkinton road and Hartford avenue, sometimes known as High street, to a point; thence southeasterly at a right angle to and crossing Hartford avenue at a distance of two hundred feet southwesterly of the intersection of the center line of Hartford avenue and Warren avenue to a point; thence easterly by a line three hundred feet from and parallel to the southerly line of Warren avenue to a point; thence southerly by a line three hundred feet from and parallel to the westerly line of School street to a point; thence southwesterly by a line three hundred feet from and parallel to the northwesterly line of Main street to a point; thence southeasterly and crossing Main street extended at right angles at distances of two hundred fifty feet southwesterly of the intersection of the center lines on Mendon street at Main street to a point; thence southeasterly by a line three hundred feet from and parallel to the southwesterly line of Mendon street to a point; thence easterly at right angles to Mendon street to the point of beginning — shall constitute a water district and are hereby made a body corporate by the name of the Upton Center Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any other water district, for whatever water may be required, authority to furnish the same being hereby granted, and may lay water mains anywhere within the town of Upton for the purpose of securing said water supply, and, in addition or in the alternative, may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof,

of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, within the town of Upton not already appropriated for the purposes of a public water supply, and the water and flowage rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the state department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. Said district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways, within said town of Upton in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Upton. Said district shall not enter upon, or construct or lay any conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. Said district may enter upon any lands for the purpose of making surveys, test wells or pits and borings and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine or said chapter eighty A; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Upton Center Water District Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district, at the time of authorizing said loan or loans, shall provide for the payment thereof in accordance with section four; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed upon the district by the assessors of said town of Upton annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act, if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, due notice of which shall have been given, such estate is so situated that it will receive no aid in the extinguishment of fire from the said system of water supply, or receive no benefit in fire insurance grading therefrom, or both, or if such estate is so situated that the buildings thereon, or the buildings

that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in said district shall be deemed to be benefited and shall be subject to the tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by the board of water commissioners hereinafter provided for to the assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 9. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commis-

sioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to said district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. If in any year there should be a deficit of revenue, the water commissioners shall in the following year fix the rate so as to meet such deficit together with the estimated operating costs including interest and debt. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The district may adopt by-laws, prescribing by whom and how meetings of the district may be called, notified, and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. The district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with any other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper. The district shall have all the rights

and privileges conferred by law upon water districts, so far as applicable.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

SECTION 13. Upon a petition in writing addressed to said water commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within said district by section one of this act present and voting thereon, by the use of the check list, at a district meeting called, in accordance with section eight, within four years after its passage, but not otherwise.

Approved April 17, 1946.

AN ACT MAKING CERTAIN VETERANS ELIGIBLE TO APPLY FOR EXAMINATION FOR, AND APPOINTMENT TO, POSITIONS IN POLICE AND FIRE DEPARTMENTS, NOTWITHSTANDING CERTAIN AGE REQUIREMENTS. Chap. 221

Whereas, The deferred operation of this act would in part defeat its purpose, which is to authorize certain veterans, now ineligible because of age to take examinations for, and to hold, certain civil service positions, immediately to take examinations for such positions and to hold the same, therefore it is hereby declared to be an emergency act, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter thirty-one of the General Laws is hereby amended by inserting after section twenty-two the following section: —

G. L. (Ter.
Ed.), 31,
new § 22A,
added.

Age eligibility
of certain
veterans.

Section 22A. Any veteran who will have attained the age of twenty-one on or before the date of any scheduled examination for police or fire service shall not be deemed ineligible for examination and appointment because of established minimum age requirements to take said examination; provided, that he meets all other pertinent requirements of the civil service laws and rules. *Approved April 18, 1946.*

Chap. 222 AN ACT FURTHER REGULATING THE SALE OF FUEL OIL AND RANGE OIL.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 94, § 248,
etc., amended.

Section two hundred and forty-eight of chapter ninety-four of the General Laws, as most recently amended by section one of chapter two hundred and forty-one of the acts of nineteen hundred and forty-three, is hereby further amended by inserting after the word "coal" in the twelfth line the words: — , or the measuring, selling or delivering of fuel oil or range oil, — so as to read as follows: — *Section 248.* Whoever violates any provision of sections two hundred and forty to two hundred and forty-seven, inclusive, if no other penalty is provided therein, or of a rule or regulation made under section two hundred and thirty-nine A, or fails to comply with any request for information or direction made under authority of sections two hundred and forty, two hundred and forty-one, two hundred and forty-four to two hundred and forty-six, inclusive, or gives a false answer to any such request, shall be punished by a fine of not more than fifty dollars; and whoever is guilty of fraud or deceit as to the weighing, selling or delivering of coke, charcoal or coal, or the measuring, selling or delivering of fuel oil or range oil, or whoever, by himself, or by his servant, agent or employee, sells or delivers or attempts to sell or deliver coal which is short in weight or which contains an unreasonable amount of shale, slate, rock or other foreign substance or which produces an excessive amount of non-combustible residue, including ash, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. The director of standards and necessities of life and local sealers of weights and measures shall cause sections two hundred and forty to two hundred and forty-nine, inclusive, and rules and regulations made under section two hundred and thirty-nine A, to be enforced.

Approved April 18, 1946.

Chap. 223 AN ACT RELATIVE TO THE RATE OF INTEREST ON CERTAIN LOANS OF LESS THAN ONE THOUSAND DOLLARS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 140, § 90,
etc., amended.

SECTION 1. Chapter one hundred and forty of the General Laws is hereby amended by striking out section ninety, as amended by section one of chapter one hundred and seventy-

nine of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following: — *Section 90.* A loan of less than one thousand dollars made at a rate of more than six per cent per annum shall be discharged upon payment or tender by the debtor of the principal sum actually borrowed, with interest for the period between the borrowing of said money and the payment or tender hereunder at the rate agreed upon if said rate is not more than eighteen per cent per annum, or at the rate of eighteen per cent per annum if the agreed rate is in excess thereof, for any part of the period occurring prior to the termination of one year after maturity, and in either case at the rate of six per cent per annum for any part of the period occurring after the termination of said year, and a sum not exceeding five dollars for the actual expenses of making and securing the loan; but the lender shall be entitled to interest for six months from the time of the borrowing at said agreed rate or at said rate of eighteen per cent per annum, as the case may be, if the debt is paid before the expiration of said six months. All payments in excess of the rate or rates herein required for discharge by payment or tender shall be applied to the discharge of the principal, and the borrower shall be obliged to pay or tender only the balance of the principal and interest, at said rate or rates, due after such application. This section shall not affect so much of section three of chapter one hundred and seven as provides that if there is no agreement for a different rate the interest of money shall be at the rate of six dollars upon each hundred dollars for a year. If an action is brought upon a loan coming within the purview of this section, the verdict or finding entered for the plaintiff in such action shall in no event exceed the amount that would be required to discharge, by payment or tender, the indebtedness at the time of such verdict or finding. Any agreement whereby the borrower waives the benefits of this section or releases any rights he may have acquired by virtue hereof shall be deemed to be against public policy and void. If, after all deductions or payments, whether on account of interest, expenses or principal made substantially contemporaneously with the making of the loan, the amount retained by the borrower be less than one thousand dollars, the transaction shall be deemed to be a loan in the amount of the sum so retained by the borrower after such deductions or payments, notwithstanding that the loan be nominally for a greater sum.

Loans of less than one thousand dollars.

Protection of borrowers.

SECTION 2. This act shall apply only to loans made after its effective date.

Approved April 22, 1946.

AN ACT AUTHORIZING THE TOWN OF NATICK TO RETIRE CERTAIN EMPLOYEES OF ITS PUBLIC WORKS DEPARTMENT. *Chap. 224*

Be it enacted, etc., as follows:

SECTION 1. The retirement board of the town of Natick, with the approval of the board of selectmen, may retire on

account of accidental disability, under the contributory retirement system of said town, Robert E. Dunbar and Leonard H. Amoroso, employees of its public works department who were injured on April fourteenth, nineteen hundred and thirty-one, while in the performance of their duties, notwithstanding that such injuries were incurred prior to the time when said retirement system became operative.

SECTION 2. This act shall take effect upon its passage.

Approved April 23, 1946.

Chap.225 AN ACT AUTHORIZING THE TOWN OF YARMOUTH TO APPROPRIATE MONEY FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. The town of Yarmouth may, by a majority vote, appropriate each year a sum not exceeding one thousand dollars for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the board of selectmen.

SECTION 2. This act shall take effect upon its passage.

Approved April 23, 1946.

Chap.226 AN ACT TO PERMIT FACSIMILE SIGNATURES OF OFFICERS OF RAILROAD CORPORATIONS AND FACSIMILE SEALS TO BE PRINTED ON STOCK CERTIFICATES OF SUCH CORPORATIONS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 160, § 38,
amended.

Stock
certificate.

Chapter one hundred and sixty of the General Laws is hereby amended by striking out section thirty-eight, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 38.* Each stockholder shall be entitled to a certificate, which shall be signed by the president and by the treasurer of the corporation, or by such other officers as may be authorized by the by-laws, shall be sealed with its seal, and shall certify the number of shares owned by him in such corporation; but when any such certificate is signed by a transfer agent or transfer clerk and by a registrar and the registrar is not the same person, partnership, association, trust or corporation as the transfer agent or transfer clerk, the signature of the president or of the treasurer or of the other officers authorized by the by-laws, or the seal of the corporation, or any or all of such last-mentioned signatures and such seal upon such certificate may be facsimile, and such certificate shall be as valid and effectual for all purposes as if signed by such president, treasurer or other authorized officer, or sealed with the seal of such corporation, as the case may be.

Approved April 23, 1946.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO ERECT AND EQUIP CERTAIN BUILDINGS AT THE ESSEX COUNTY TUBERCULOSIS HOSPITAL. Chap. 227

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county are hereby authorized to raise and expend a sum not exceeding one hundred and twenty-five thousand dollars for the purpose of providing new buildings, additions and improvements at the Essex county tuberculosis hospital as follows:—nurses' home; operating ward facilities and equipment; three cottages for doctors; new bakery and equipment; dormitories in the infirmary, with additional lavatory facilities; enlarging heating and power plant and new equipment therefor; bridge to connect nurses' home with hospital; sanitary improvements; together with all necessary equipment therefor and such other additions or improvements as may be deemed necessary. All sums, if any, received from the federal government for the purposes of this act shall be included in, and considered as a part of, the total amount authorized to be expended hereunder.

SECTION 2. The county commissioners of said county shall, with the consent of the governor, take any and all steps necessary from time to time to enable Essex county to secure for said purposes any federal grant or subsidy.

SECTION 3. To provide funds for the new buildings, additions, improvements and equipment hereinbefore authorized, the treasurer of Essex county, with the approval of the county commissioners, may borrow from time to time on credit of the county such sums, not exceeding, in the aggregate, one hundred and twenty-five thousand dollars, as may be necessary, and may issue bonds or notes therefor, which shall bear on their face the words, Essex County Tuberculosis Hospital Loan, Act of 1946. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of said county and countersigned by a majority of said county commissioners. Said county may sell said securities at public or private sale upon such terms and conditions as said county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws. Any sums received from the federal government for the purposes of this act may be applied toward payment either of the expenditures authorized by section one of this act or of the principal of the bonds or notes hereby authorized. All sums necessary to meet interest payments on notes or bonds issued under this act and payments on account of principal as the same mature shall be assessed upon the cities and towns constituting the hospital district in the same proportion as and together with other assessments made un-

der section eighty-five of chapter one hundred and eleven of the General Laws.

SECTION 4. This act shall take full effect upon its acceptance, prior to December thirty-first in the current year, by the county commissioners of the county of Essex.

Approved April 23, 1946.

Chap.228 AN ACT AUTHORIZING THE ABANDONMENT AND SALE OF PART OF SHERMAN STREET IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

The city of Malden is hereby authorized to abandon as a way, and to sell, the following described parcel of land to National Company, Inc.:—

A parcel of land belonging to the city of Malden (being part of Sherman street) bounded and described as follows:—

Beginning at the intersection of the easterly line of Canal street and the northerly line of Sherman street (as laid out August eighteenth, nineteen hundred and thirty-eight); thence running easterly by land, now or late of National Company, Inc., three hundred feet to the westerly line of Jackson street; thence turning and running southerly by Jackson street forty feet; thence turning and running westerly by land, now or late, of Antonetta Degli Augelli, and land, now or late, of National Company, Inc., three hundred feet to the easterly line of Canal street; thence turning and running northerly by Canal street forty feet to point of beginning. Containing twelve thousand square feet.

Approved April 23, 1946.

Chap.229 AN ACT AUTHORIZING THE CITY OF WOBURN TO DECREASE THE MEMBERSHIP OF ITS CITY COUNCIL AND TO COMPENSATE THE MEMBERS OF SAID COUNCIL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section nine of chapter one hundred and seventy-two of the acts of eighteen hundred and ninety-seven, the city council of the city of Woburn shall consist of nine aldermen, of whom one shall be elected from each ward by and from the qualified voters of that ward, and two members shall be elected by and from the qualified voters of the city.

SECTION 2. Notwithstanding the provisions of said section nine of said chapter one hundred and seventy-two, the aldermen of said city shall receive in full compensation for their services an annual salary of two hundred and fifty dollars each.

SECTION 3. There shall be placed upon the official ballot to be used at the biennial state election in said city in the current year the following questions:—

Question (1).—“Shall the city council of this city consist of nine members, of whom one shall be elected from

each ward by and from the qualified voters of that ward, and two members shall be elected by and from the qualified voters of the city?"

Question (2). — "Shall the members of the city council of this city receive in full compensation for their services an annual salary of two hundred and fifty dollars each?"

If a majority of the votes in answer to Question (1) is in the affirmative, then section one of this act shall take full effect on the first Monday of January, nineteen hundred and forty-eight, but not otherwise.

If a majority of the votes in answer to Question (2) is in the affirmative, then section two of this act shall take full effect on the first Monday of January, nineteen hundred and forty-eight, but not otherwise. *Approved April 23, 1946.*

AN ACT AUTHORIZING THE CITY OF MALDEN TO SELL ITS PRESENT CITY HALL AND CITY HALL ANNEX, AND REGULATING THE EXPENDITURE OF THE PROCEEDS OF SUCH SALE. *Chap. 230*

Be it enacted, etc., as follows:

The city of Malden is hereby authorized, during the year nineteen hundred and forty-six or nineteen hundred and forty-seven, to enter into a contract for the sale of, and to sell, the land and buildings located between Main street and Ferry street in said city, said buildings being the present city hall and city hall annex. The proceeds of said sale shall be held and applied toward the cost of the purchase or taking of other land and buildings for city hall purposes, or of other land and for the construction thereon of a city hall.

Approved April 23, 1946.

AN ACT AUTHORIZING THE CITY OF MALDEN TO SELL ITS PRESENT POLICE STATION PROPERTY, AND REGULATING THE EXPENDITURE OF THE PROCEEDS OF SUCH SALE. *Chap. 231*

Be it enacted, etc., as follows:

SECTION 1. The city of Malden is hereby authorized, during the year nineteen hundred and forty-six or nineteen hundred and forty-seven, to enter into a contract for the sale of, and to sell, the land and buildings located at the corner of Exchange and Middlesex streets in said city, said buildings being the present police station and garage. The proceeds of said sale shall be held and applied toward the cost of the purchase or taking of other land and buildings for police station purposes, or of other land and for the construction thereon of a police station.

SECTION 2. Chapter five hundred and seventy-nine of the acts of nineteen hundred and forty-one is hereby repealed.

Approved April 23, 1946.

Chap.232 AN ACT RELATIVE TO THE BORROWING OF MONEY BY THE CITY OF WORCESTER FOR THE PURPOSE OF CONSTRUCTING A MUNICIPAL AIRPORT.

Be it enacted, etc., as follows:

Section one of chapter twenty-four of the acts of nineteen hundred and forty-one is hereby amended by striking out, in the second line, the word "five" and inserting in place thereof the word:— seven, — so as to read as follows:— *Section 1.* The city of Worcester may, within a period of seven years from the passage of this act, incur indebtedness for the construction of a municipal airport, either within or without the city, and may issue bonds or notes therefor, which shall bear on their face the words, Worcester Municipal Airport Loan, Act of 1941. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates, but no loan shall be authorized under this act unless a sum equal to an amount not less than ten per cent of the loan so authorized is voted for the same purpose to be provided from taxes or other sources of revenue of the year when authorized. Indebtedness incurred under this act shall be in excess of the amount authorized by chapter two hundred and eleven of the Special Acts of nineteen hundred and sixteen, as amended by chapter one hundred and thirty-eight of the acts of nineteen hundred and twenty, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the first paragraph of section seven of said chapter.

Approved April 23, 1946.

Chap.233 AN ACT FURTHER REGULATING MEDICAL AND HOSPITAL SERVICES RENDERED UNDER THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 152, § 30, etc., amended.

Payments for medical services under compensation law.

SECTION 1. Chapter one hundred and fifty-two of the General Laws is hereby amended by striking out section thirty, as most recently amended by chapter one hundred and eighty-one of the acts of nineteen hundred and forty-three, and inserting in place thereof the following section:— *Section 30.* The insurer shall furnish to an injured employee adequate and reasonable medical and hospital services, and medicines if needed, together with the expenses necessarily incidental to such services. The employee may select a physician other than the one provided by the insurer; and in case he shall be treated by a physician of his own selection, or where in case of emergency or for other justifiable cause a physician other than the one provided by the insurer is called in to treat the injured employee, the reasonable cost of the physician's services shall be paid by the insurer, subject to the approval of the department. Such approval shall be granted only if the department finds that the employee was so treated by such physician or that there was such

emergency or justifiable cause, and in all cases that the services were adequate and reasonable and the charges reasonable. In any case where the department is of opinion that the fitting of the employee with an artificial eye or limb, or other mechanical appliance, will promote his restoration to or continue him in industry, it may order that he be provided with such an artificial eye, limb or appliance, at the expense of the insurer.

Artificial eye, limb, etc., to be furnished in certain cases.

SECTION 2. This act shall apply only in case of personal injuries occurring on or after its effective date.

Approved April 23, 1946.

AN ACT ESTABLISHING THE REGISTRY OF MOTOR VEHICLES AS A DIVISION IN THE DEPARTMENT OF PUBLIC WORKS AND MAKING CERTAIN CHANGES IN THE LAWS RELATIVE TO THE REGISTRAR OF MOTOR VEHICLES.

Chap. 234

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to clarify immediately certain provisions of law relating to the registry of motor vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter sixteen of the General Laws is hereby amended by striking out section five, as most recently amended by chapter three hundred and eight of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section: — *Section 5.* There shall be in the department, but in no manner subject to its control, a division of motor vehicles, to be known as the registry of motor vehicles. With the approval of the council, the governor shall appoint for a term of five years, and may remove for cause, an officer to be known as the registrar of motor vehicles who shall be the executive and administrative head of the division. In addition to the deputy registrar, assistant to the registrar, hearings officers, supervising inspectors, investigators and examiners authorized to be appointed by the registrar under section twenty-nine of chapter ninety, he may appoint such other officers and employees as may be necessary to carry out the work of the division. In the event of a vacancy in the office of registrar, his powers and duties shall be exercised and performed by the deputy registrar until a registrar is duly qualified. A license to operate motor vehicles issued by a registrar shall become valid upon the effective date thereof, notwithstanding the fact that the registrar who issued the same ceased to hold said office prior to said effective date.

G. L. (Ter. Ed.), 16, § 5, etc., amended.

Registrar of motor vehicles, appointment of, etc.

SECTION 2. Notwithstanding the provisions of section one, the tenure of office of the registrar of motor vehicles in office on the effective date of this act shall continue until the expiration of five years from said effective date. Nothing in

this act shall affect any rights of any persons employed in the registry of motor vehicles on said effective date.

Approved April 24, 1946.

Chap.235 AN ACT PROVIDING FOR A THREE YEAR TERM FOR THE CITY SOLICITOR IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and sixty-nine of the acts of eighteen hundred and eighty-one is hereby amended by striking out section fourteen, as amended by section one of chapter four hundred and thirty-five of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section:— *Section 14.* The city council, as soon after its organization as may be convenient, in years when it organizes, otherwise on the first Monday in January, or as soon thereafter as may be convenient, shall annually choose, by concurrent vote, a city physician, who shall hold his office for the term of one year next ensuing and until the qualification of his successor, and shall triennially choose, by concurrent vote, a city solicitor, who shall hold his office for the term of three years next ensuing and until the qualification of his successor, and shall triennially choose, by joint ballot in convention, a treasurer and a collector of taxes, who shall hold their offices respectively for the term of three years next ensuing and until the qualification of their respective successors; provided, that any of the officers named or referred to in this section may be removed at any time by the city council for sufficient cause. Vacancies occurring in the above-named offices may be filled at any time by concurrent vote of the city council. The compensation of the officers named or referred to in this section shall be fixed by concurrent vote of the city council.

SECTION 2. This act shall take effect on January first, nineteen hundred and forty-seven.

Approved April 24, 1946.

Chap.236 AN ACT RELATIVE TO THE RIGHTS OF THE CITY OF SOMERVILLE AND OTHERS TO BUILD AND USE A DRAIN TO DISCHARGE WASTE IN MILLER'S RIVER.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and seventy-five of the acts of eighteen hundred and ninety-nine is hereby repealed.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1946.

Chap.237 AN ACT AUTHORIZING THE TOWN OF SAVOY TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of acquiring land for and constructing a school building and originally equipping and

furnishing the same, the town of Savoy may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, twenty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Savoy School Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved April 25, 1946.

AN ACT DISPENSING WITH THE REQUIREMENT OF PHYSICIANS' CERTIFICATES OF PHYSICAL CONDITION IN CERTAIN CASES WHERE VETERANS ARE RESTORED TO PUBLIC OFFICE AND EMPLOYMENT UNDER THE CIVIL SERVICE.

Chap. 238

Whereas, The deferred operation of this act would in part defeat its purpose, which is to enable certain veterans to be restored immediately to public office and employment under the civil service without being compelled to file physicians' certificates as to their physical condition, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Emergency
preamble.*

Be it enacted, etc., as follows:

Chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended, is hereby further amended by inserting after section two the following section:— *Section 2A*. Notwithstanding the provisions of section two, three or four or any other provision of this act, a certificate of a registered physician relative to a person's physical qualification for any office or position need not be filed, if the director of civil service has not fixed physical standards as a prerequisite to eligibility for original appointment to said office or position, and said director shall waive the requirement of a certificate of a registered physician, relative to a person's physical qualifications, for his restoration to an eligible register for the labor service if before certification he will be subjected by said director to a physical examination.

Approved April 25, 1946.

AN ACT RELATIVE TO THE AMOUNT OF ANNUITIES OR PENSIONS OF CERTAIN MEMBERS OF THE CO-OPERATIVE BANKS EMPLOYEES RETIREMENT ASSOCIATION.

Chap. 239

Be it enacted, etc., as follows:

Section fifty-nine of chapter one hundred and seventy of the General Laws, inserted by chapter one hundred and

*G. L. (Ter.
Ed.), 170, § 59,
etc., amended.*

ninety of the acts of nineteen hundred and forty-five, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Limitation
of amount
to be paid
beneficiary.

No annuity or pension provided by contributions from a participating bank for the benefit of any employee on account of past service shall exceed twenty-five hundred dollars yearly. No annuity or pension provided by contributions from a participating bank for the benefit of any employee on account of past and future service shall exceed one half of the average salary of the employee for the five years preceding the date of retirement.

Approved April 25, 1946.

Chap. 240 AN ACT RELATIVE TO THE PAYMENT OF ANNUITIES OR PENSIONS TO CERTAIN MEMBERS OF THE SAVINGS BANKS EMPLOYEES RETIREMENT ASSOCIATION.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 108, § 58,
etc., amended.

Section fifty-eight of chapter one hundred and sixty-eight of the General Laws, as amended by section one of chapter one hundred and four of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the last paragraph, as appearing in chapter two hundred and forty-nine of the acts of nineteen hundred and forty-three, and inserting in place thereof the following paragraph:—

Limitation
of amount
to be paid
beneficiary.

No annuity or pension provided by contributions from a participating bank for the benefit of any employee on account of past service shall exceed twenty-five hundred dollars yearly. No annuity or pension provided by contributions from a participating bank for the benefit of any employee on account of past and future service shall exceed one half of the average salary of the employee for the five years preceding the date of retirement.

Approved April 25, 1946.

Chap. 241 AN ACT FURTHER REGULATING THE HOURS AND CONDITIONS OF LABOR OF CERTAIN MINORS ON FARMS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 149, § 56,
etc., amended.

SECTION 1. Section fifty-six of chapter one hundred and forty-nine of the General Laws, as most recently amended by section one of chapter six hundred and ten of the acts of nineteen hundred and forty-one, is hereby further amended by adding at the end the following paragraph:—

Hours of
employment
of certain
minors on
farms.

Notwithstanding any other provision of this chapter, no minor under fourteen shall be employed in service on a farm for a total of more than four hours in any one day nor more than a total of twenty-four hours in any one week, except that the provisions of this paragraph shall not apply to the employment of a minor under fourteen who is related by blood or marriage to the owner or operator of the farm on which such minor is employed.

SECTION 2. Section sixty-one of said chapter one hundred and forty-nine, as appearing in the Tercentenary Edition, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:— (1) Circular or band saws or ensilage cutters, which shall include any such saw or cutter on a farm, except with respect to a minor under sixteen who is related by blood or marriage to the owner or operator of the farm on which such minor is employed or permitted to work.

G. L. (Ter. Ed.), 149, § 61, amended.

Employment of children under sixteen.

Approved April 25, 1946.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF DUKES COUNTY TO ERECT AND EQUIP AN ADDITION TO THE COURT HOUSE AT EDGARTOWN AND TO MAKE REPAIRS IN THE EXISTING COURT HOUSE.

Chap. 242

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Dukes county are hereby authorized to expend a sum not exceeding one hundred thousand dollars for the erection and equipment of an addition to the court house in the town of Edgartown and for the making of repairs in the existing court house. All sums, if any, received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purpose of meeting the expenses authorized by section one, the county treasurer, with the approval of the county commissioners, shall issue bonds or notes of the county, in a total amount not to exceed one hundred thousand dollars, which shall bear on their face the words, Dukes County Court House Loan, Act of 1946; and such bonds or notes shall be payable in not more than twenty years from their dates of issue. Such bonds or notes shall be signed by the treasurer of said county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Receipts from the sale of such bonds or notes shall be applied to the payment of costs of construction and to the payment of any temporary loans authorized under section three, or to either of such purposes. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer of said county, with the approval of the county commissioners, may from time to time make temporary loans in anticipation of the serial loan authorized by section two in such sums as may be necessary, but not exceeding, in the aggregate, one hundred thousand dollars, and may issue notes of the county therefor, payable in not more than one year from their date or dates of issue.

SECTION 4. This act shall take full effect upon its acceptance, during the current year, by the county commissioners of said county, but not otherwise.

Approved April 25, 1946.

Chap. 243 AN ACT PROVIDING FOR THE CONTINUED EMPLOYMENT BY TOWNS ABANDONING THEIR WATER DEPARTMENT FACILITIES OF CERTAIN EMPLOYEES NOT ELIGIBLE FOR TRANSFER TO THE SERVICE OF THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 92, § 10, etc., amended.

Paragraph (10) of section ten of chapter ninety-two of the General Laws, as most recently amended by section one of chapter five hundred and eighty-seven of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "days" in the twenty-ninth line the following sentence:— Any employee of the water department of such town not eligible for transfer as aforesaid who, upon such abandonment, shall hold a grade or classification under chapter thirty-one higher than that of skilled laborer, shall, if he so requests within thirty days after such abandonment, be retained as an employee of such water department in a grade or classification not lower than that of skilled laborer; provided, that he shall not displace therein any employee senior to him in length of service, — so as to read as follows:—

Transfer of employees upon abandonment of town water supply system.

(10) Any employee of the water department of a town the facilities of which will be abandoned as provided in this section when the commission commences to supply water to such town, and who, immediately prior to such abandonment, is on duty at a reservoir, filter plant, pumping station or other works which will be abandoned when no longer needed, shall, upon such abandonment, and upon his request, be transferred to the service of the commission at a rate of compensation not less than he received from such town. Any employee so transferring shall serve in the commission in a locality as near as possible to the town by which he was formerly employed and without impairment of his civil service status, if any, and shall retain all his rights, if any, under chapter thirty-one, and, if a member of any retirement system of his town, shall be transferred to the retirement system of the commonwealth with the right to a retirement allowance based on his full service in the systems of such town and of the commonwealth and the full amount of his accumulated deductions, plus regular interest, shall be transferred to the retirement system of the commonwealth. If any such employee, except an employee who is unable to perform the duties of his office or position because of service in the military or naval forces of the United States, shall refuse, or neglect, within thirty days after his right to transfer under this paragraph accrues, to transfer to the service of the commission he shall there-

upon be retired by the town by which he is employed with the same rights and allowances as if he had voluntarily retired at the expiration of such thirty days. Any employee of the water department of such town not eligible for transfer as aforesaid who, upon such abandonment, shall hold a grade or classification under chapter thirty-one higher than that of skilled laborer, shall, if he so requests within thirty days after such abandonment, be retained as an employee of such water department in a grade or classification not lower than that of skilled laborer; provided, that he shall not displace therein any employee senior to him in length of service. The head of the town department abandoning its service as hereinbefore provided shall, before such abandonment, give notice in writing of the proposal to abandon, and of his rights provided hereunder, to each employee of the department the facilities of which are to be so abandoned.

Approved April 25, 1946.

AN ACT DEFINING THE WORD "HOLDER" AS USED IN CERTAIN LAWS PROVIDING THAT LIFE INSURANCE COMPANIES MAY INCLUDE IN POLICIES ISSUED ON THE LIVES OF MINORS PROVISION FOR THE WAIVER OF PREMIUMS IF THE HOLDERS OF SUCH POLICIES BECOME TOTALLY AND PERMANENTLY DISABLED.

Chap. 244

Be it enacted, etc., as follows:

Section twenty-four of chapter one hundred and seventy-five of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end of the first paragraph the following sentence:— For the purposes of this section, the word "holder" shall include any person other than the insured who is the owner of a policy insuring the life of a minor.

G. L. (Ter. Ed.), 175, § 24, amended.

Term "holder" defined.

Approved April 25, 1946.

AN ACT CHANGING THE TIME FOR THE HOLDING OF THE BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF NORTHAMPTON.

Chap. 245

Be it enacted, etc., as follows:

Biennial municipal elections in the city of Northampton for the choice of mayor, members of the city council, members of the school committee, city clerk, city treasurer, trustees under the will of Charles E. Forbes, secretary and treasurer of the trustees of the Forbes library, elector under the Oliver Smith will and superintendents of Smith's agricultural school shall be held on the Tuesday next after the first Monday of November commencing with the biennial municipal election in the year nineteen hundred and forty-seven.

Approved April 25, 1946.

Chap. 246 AN ACT AUTHORIZING THE ESTABLISHMENT WITHIN THE TOWN OF WEYMOUTH OF A HOSPITAL FOR THE INHABITANTS OF SUCH TOWN.

Be it enacted, etc., as follows:

SECTION 1. Mrs. Gertrude A. Cassese, Clement N. Curtis, Preston A. DePlacido, Allan C. Emery, John Gallant, Roger P. Loud, Mrs. Lucy P. Mahoney, Mrs. Emily L. McGovern, Honorable Kenneth L. Nash, Timothy G. Osborn, George E. Pruden, A. Wesley Sampson, Mrs. Marguerite W. Shaftoe, Russell A. Stiles and C. Parker Whittle, Jr., all of the town of Weymouth, and their successors who shall be residents of said town, are hereby made a corporation by the name of the Laban Pratt Hospital, for the sole purpose of establishing and maintaining a public hospital for the use of the inhabitants of the said town and others who may be admitted thereto under the provisions of the will and codicil of Laban Pratt and who may require medical and surgical treatment.

SECTION 2. Said corporation shall have authority for the purpose aforesaid, and no other, to hold real and personal estate to the amount of one million dollars.

SECTION 3. The chairman of the board of selectmen, the town accountant and the town treasurer, severally for the time being, and their successors, shall be trustees, ex-officiis during the terms of their respective offices, and together with the incorporators above named shall constitute the board of trustees, of whom the chairman of the board of selectmen shall be ex-officio chairman, and whose terms of office except as above provided shall be as follows: The trustees shall, in the year next following the acceptance of this act, elect three of their members whose terms of office are not fixed as above, who shall hold for the term of one year from the first day of the following February, three of their number who shall hold for the term of two years from said first day of the following February, three of their number who shall hold for the term of three years from said first day of the following February, three of their number who shall hold for the term of four years from said first day of the following February, and the remaining three shall be elected to hold for the term of five years from the said first day of the following February, and who shall severally hold for the terms for which they are elected and until their successors are chosen, and thereafter, as the terms of office expire, the town moderator shall annually appoint before February three trustees for the term of five years each. Six members of the board shall constitute a quorum. Whenever a vacancy shall occur in the board of trustees by reason of death, resignation or otherwise of the members so elected or appointed the town moderator shall fill the vacancy for the unexpired term. If the board of trustees shall fail for three months to elect its members in accordance with the provisions of this act, the board of selectmen of the town of Weymouth shall forth-

with proceed to an election. No member of the board as such shall receive compensation for his services. The town of Weymouth is hereby authorized and empowered to place in trust in the hands of the trustees of said corporation all funds, gifts and bequests, which are or may be held by it for the purpose of establishing and maintaining said hospital, especially all sums it has or may from time to time receive from the trustees appointed under the will of the said Laban Pratt, deceased. Said corporation shall, upon the acceptance of this act by the town of Weymouth as herein-after provided, receive and hold all past and future bequests and gifts that may be made for the maintenance of said hospital, and the same shall be appropriated, held and used by said corporation for the sole use and purpose aforesaid as a trust in behalf of and for the inhabitants of said town, and such other persons as may be permitted to enjoy the benefits of said hospital in pursuance of the provisions of said will. Said trustees shall render to the board of selectmen annually as of the first of January a report of their proceedings, with a statement of the condition of the hospital, the property and funds pertaining to the same, with an accurate account of all receipts and expenditures, together with such other information or suggestions as they may deem desirable, which report shall be published by the board of selectmen in the annual town report. Said trustees shall in behalf of said town carefully and considerably carry into execution the generous plan of the testator as contemplated by the said will and codicil.

SECTION 4. Said trustees shall appoint the town treasurer as treasurer, and shall require of him a bond with satisfactory sureties in the penal sum of not less than twenty-five thousand dollars for the faithful discharge of his duties, and his books of account and vouchers shall at all times be open to the trustees aforesaid, or any one of them.

The trustees shall also appoint from their own membership a board of audit and control of not less than three, who shall examine all bills and pay rolls, and no such bill or pay roll shall be paid by the treasurer unless approved by a majority of said board.

SECTION 5. The trustees shall appoint a clerk whose duty it shall be to keep a full and fair record of the proceedings of the board, and to discharge such other duties as they shall from time to time prescribe. The compensation of the treasurer and clerk shall be fixed by the board of trustees.

SECTION 6. The trustees shall have full power to elect such other officers as they may from time to time think necessary or expedient, and to determine and fix the tenure of their offices, and of that of the clerk; to remove any trustee who shall be incapable through age, removal from the town, infirmity or otherwise for the discharge of his duties as said trustee, or who by unreasonable absence from the meetings of the board shall fail to discharge the duties of his office, and generally to do all acts and things necessary or expedient

to be done for the purpose of carrying into full effect the provisions and purposes of this act.

SECTION 7. It shall be the duty of the trustees to safely and securely invest, or to hold invested, the trust funds derived under said will or otherwise, and they shall have regard at all times to all the provisions of said will affecting said trust and the desire of the testator as expressed therein.

SECTION 8. Nothing in this act contained shall be held to alter or impair any trust created by said will. The corporation hereby created, acting through its trustees and proper officers, shall be deemed the agent of said town of Weymouth for the proper execution of all trusts arising under the provisions of said will. Nothing in this act contained shall be construed as releasing the town of Weymouth from any obligation arising from the acceptance of said bequest under said will or from any condition made therein. The said Allan C. Emery is hereby authorized and empowered to prescribe the time and place for the holding of the first meeting of said trustees and to notify them thereof.

SECTION 9. Chapter four hundred and four of the acts of nineteen hundred and forty-three is hereby repealed.

SECTION 10. This act shall take full effect upon its acceptance by a majority of the town meeting members of the town of Weymouth present and voting thereon at a meeting legally called for this purpose not later than five years after the date of the passage of this act, but not otherwise.

Approved April 26, 1946.

Chap.247 AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO RETIRE
HARRY A. PENNIMAN ON HALF PAY.

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge is hereby authorized to retire Harry A. Penniman, who has been election commissioner of said city continuously since the year nineteen hundred and twenty, and to pay to him a pension equal to one half of the salary received by him as such commissioner in the year nineteen hundred and forty-five. The retiring authority under this act shall be the city manager.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1946.

Chap.248 AN ACT RELATIVE TO A FIFTH ASSISTANT CLERK OF COURTS
FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and twenty-one of the General Laws is hereby amended by striking out section four, as most recently amended by section one of chapter three hundred and thirty-six of the acts of nineteen hundred and forty-three, and inserting in place thereof the following section: — *Section 4.* The justices of the supreme judicial

G. L. (Ter. Ed.), 221, § 4, etc., amended.

court shall appoint for a term of three years from the date of their appointment, and may remove, assistant clerks of courts, as follows:

For the county of —

Barnstable, an assistant;

Bristol, an assistant, and a second assistant;

Essex, an assistant, a second assistant, a third assistant, a fourth assistant and a fifth assistant;

Hampden, an assistant, a second assistant and, subject to the approval of the county commissioners, a third assistant;

Middlesex, an assistant, a second assistant, a third assistant, a fourth assistant and a fifth assistant;

Norfolk, an assistant;

Plymouth, an assistant;

Suffolk, an assistant of the supreme judicial court;

Worcester, an assistant, a second assistant, a third assistant and a fourth assistant.

Assistant clerks of courts except in Suffolk county shall act as assistant clerks of the supreme judicial court, the superior court and the county commissioners.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1946.

AN ACT ESTABLISHING THE AUTHORITY OF THE TRUSTEES OF THE CUSHING ACADEMY TO BORROW MONEY AND TO MORTGAGE REAL ESTATE AS SECURITY THEREFOR. Chap.249

Be it enacted, etc., as follows:

The Trustees of the Cushing Academy, a corporation incorporated by chapter two hundred and sixty-five of the acts of eighteen hundred and sixty-five, is hereby authorized and empowered for the purposes set forth in said act to borrow money from time to time to an amount not in excess of three hundred thousand dollars, and said corporation is hereby authorized and empowered to mortgage real estate owned by it and situated in the town of Ashburnham as security for any such loan or loans.

Approved April 29, 1946.

AN ACT TO BROADEN THE LAWS RELATIVE TO THE ISSUANCE OF PARTICIPATING POLICIES BY FOREIGN STOCK INSURANCE COMPANIES AUTHORIZED TO TRANSACT BUSINESS WITHIN THE COMMONWEALTH, BY PROVIDING THAT SUCH COMPANIES MAY ISSUE SUCH POLICIES IF AUTHORIZED TO DO SO BY THE LAWS OF THEIR STATE OR GOVERNMENT. Chap.250

Whereas, The deferred operation of this act would tend to defeat its purpose by depriving the people of this commonwealth of the opportunity of obtaining forthwith from certain insurance companies participating policies of insurance, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 175,
§ 150, etc.,
amended.

Foreign
companies.

Admission
to transact
business.

Section one hundred and fifty of chapter one hundred and seventy-five of the General Laws, as amended by section two of chapter six hundred and nine of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "charter" in the eleventh line the words: — or by the laws of its state or government, — so as to read as follows: — *Section 150.* Foreign companies, upon complying with the conditions herein set forth applicable to such companies, may be admitted to transact in the commonwealth, as provided in section one hundred and fifty-seven, any kinds of business authorized by this chapter, subject to all general laws now or hereafter in force relative to insurance companies, and subject to all laws applicable to the transaction of such business by foreign companies and their agents; except that no foreign stock company may issue participating policies unless specifically authorized to do so by its charter or by the laws of its state or government; provided, that no provision of law which by its terms applies specifically to domestic life companies shall thereby become applicable to foreign life companies; and provided, further, that the provisions of section eighty-one relative to the contingent mutual liability of members shall not apply to any foreign mutual fire company which had been admitted to transact business in the commonwealth prior to January first, nineteen hundred and twenty-one and was then actually transacting business therein without complying with said provisions.

Approved April 30, 1946.

Chap. 251 AN ACT RELATIVE TO THE COLLECTION OF LOCAL TAXES BY SUIT.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 60, § 35,
etc., amended.

Collector
may main-
tain action.

SECTION 1. Chapter sixty of the General Laws is hereby amended by striking out section thirty-five, as amended by section two of chapter one hundred and fifty of the acts of nineteen hundred and thirty-eight, and inserting in place thereof the following section: — *Section 35.* If a tax which has been committed to a collector remains unpaid after it has become due and payable, it may be recovered in an action of contract or in any other appropriate action, suit or proceeding brought by the collector either in his own name or in the name of the town against the person assessed for such tax.

G. L. (Ter.
Ed.), 59, § 79,
etc., amended.

Collector
may main-
tain action.

SECTION 2. Section seventy-nine of chapter fifty-nine of the General Laws, as amended by section one of said chapter one hundred and fifty, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — If a tax so apportioned upon any parcel remains unpaid after commitment to the collector, it may be recovered in an action of contract or in any other appropriate action, suit or proceeding brought by the collector

either in his own name or in the name of the town against said owners or mortgagees.

SECTION 3. This act shall become effective on October first in the current year and shall apply to taxes assessed both before and after its effective date; but this act shall not apply to actions pending on its effective date.

Effective date.

Approved April 30, 1946.

AN ACT FURTHER REGULATING THE MAKING OF WAGERS AT HORSE AND DOG RACES CONDUCTED UNDER THE PARIMUTUEL OR CERTIFICATE SYSTEM OF BETTING. Chap.252

Be it enacted, etc., as follows:

Section five of chapter one hundred and twenty-eight A of the General Laws, as amended, is hereby further amended by inserting after the first paragraph, as appearing in section one of chapter four hundred and fifty-four of the acts of nineteen hundred and thirty-five, the following paragraph: —

G. L. (Ter. Ed.), 128A, § 5, etc., amended.

No wagers on any race shall be received by a licensee unless they are made within the grounds aforesaid on the day such race is held by patrons who purchase their betting tickets at the windows or booths provided therefor.

Wagers received under certain conditions.

Approved April 30, 1946.

AN ACT AUTHORIZING STREET RAILWAY COMPANIES TO MAKE SPECIAL RATES FOR TRANSPORTATION OF CERTAIN VETERANS. Chap.253

Be it enacted, etc., as follows:

Section one hundred and seven of chapter one hundred and sixty-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fourth line, the word "and", the third time said word appears in said line, and by adding after the word "school" in the fifth line the following: —, and for veterans of World War II attending schools or other institutions of learning under authority of any provision of the G. I. Bill of Rights, so called, as amended, — so that the first paragraph will read as follows: — A company may provide cars for special service, and may make special rates therefor; and may make special rates for working men and working women on week days between the hours of five and seven in the morning and five and seven in the evening, for children attending school, and for veterans of World War II attending schools or other institutions of learning under authority of any provision of the G. I. Bill of Rights, so called, as amended.

G. L. (Ter. Ed.) 161, § 107, amended.

Special service cars and rates.

Approved April 30, 1946.

AN ACT RELATIVE TO THE PAROLE OF PRISONERS FROM THE STATE PRISON. Chap.254

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain persons eligible

Emergency preamble.

immediately for parole from the state prison, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 127, § 133, etc., amended.

Time of granting parole.

Exceptions.

Section one hundred and thirty-three of chapter one hundred and twenty-seven of the General Laws, as most recently amended by section two of chapter six hundred and ninety of the acts of nineteen hundred and forty-one, is hereby further amended by striking out, in the fifth and sixth lines, the words "until he shall have served two and one half years, nor", — so as to read as follows: — *Section 133.* Parole permits may be granted by the parole board to prisoners subject to its jurisdiction at such time as the board in each case may determine; provided, that no prisoner held under sentence to the state prison shall receive a parole permit until he shall have served two thirds of his minimum sentence, or, if he has two or more sentences to be served otherwise than concurrently, two thirds of the aggregate of the minimum terms of such several sentences.

Approved May 1, 1946.

Chap. 255 AN ACT RELATIVE TO LIMITATIONS UPON THE TOTAL LIABILITY OF ONE BORROWER ON MORTGAGES TO A CO-OPERATIVE BANK.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 170, § 36A, etc., amended.

Aggregate amount of loans to any one borrower imited.

Section thirty-six A of chapter one hundred and seventy of the General Laws, as most recently amended by section one of chapter one hundred and fifty-four of the acts of the current year, is hereby further amended by striking out the paragraph amended by chapter one hundred and fifteen of the acts of nineteen hundred and forty-five and inserting in place thereof the following paragraph: —

The aggregate amount of such loans to any one borrower by any such corporation shall not exceed ten thousand dollars or one per cent of the aggregate amount of all loans secured by mortgages of real estate held by such corporation, whichever is greater, but in no event shall such aggregate amount of such loans to any one borrower by any such corporation exceed one hundred and fifty thousand dollars; provided, that the conditions contained in this paragraph shall not apply to any loan the real estate securing which has been sold to a bona fide purchaser who is deemed by such corporation to be a responsible person and who has agreed in writing with such corporation to assume payment of the note according to its terms and to comply with and perform the conditions of the mortgage, or to loans upon property purchased from the corporation; and provided, further, that all the loans to any one borrower by any such corporation, other than loans upon property purchased from the corporation, and upon matured or paid-up shares, shall **not exceed**

the limit on one borrower's liability established by this section, or that established by section sixteen, whichever is greater.

Approved May 1, 1946.

AN ACT RELATIVE TO INVESTMENTS OF DEPOSITS AND THE INCOME DERIVED THEREFROM OF SAVINGS BANKS IN FIRST MORTGAGES OF REAL ESTATE, SUCH MORTGAGED PROPERTY TO BE WITHIN A RADIUS OF TWENTY-FIVE MILES OF THE MAIN OFFICE OF A SAVINGS BANK. Chap. 256

Be it enacted, etc., as follows:

SECTION 1. Section fifty-four of chapter one hundred and sixty-eight of the General Laws is hereby amended by striking out the first paragraph of clause First, as appearing in chapter one hundred and eighty of the acts of nineteen hundred and thirty-seven, and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 168, § 54, etc., amended.

In first mortgages of real estate located in the commonwealth, or in a state contiguous to the commonwealth and within a radius of twenty-five miles of the main office of the savings bank making the loan, but not more than seventy per cent of the whole amount of deposits shall be so invested and not more than twenty per cent of the whole amount of deposits shall be invested in mortgages in states contiguous to the commonwealth. No loan on mortgage shall be made except upon written application showing the date, name of applicant, amount asked for and security offered, nor except upon the report of not less than two members of the board of investment who shall certify on said application, according to their best judgment, the value of premises to be mortgaged; and such application shall be filed and preserved with the records of the corporation. All loans secured by first mortgages of real estate shall be subject to the following restrictions: —

Mortgage investments of savings banks.
Limits.

SECTION 2. Said clause First is hereby further amended by striking out subdivision (a), as appearing in said chapter one hundred and eighty, and inserting in place thereof the following subdivision: —

G. L. (Ter. Ed.), 168, § 54, etc., further amended.

(a) A loan secured by a first mortgage of real estate located in the commonwealth, or in a state contiguous to the commonwealth and within a radius of twenty-five miles of the main office of the savings bank making the loan, except real estate referred to in subdivision (b) hereof, may be made on demand or for a period not extending beyond three years from the date of the note and shall not exceed sixty per cent of the value of the premises to be mortgaged.

Same subject.

SECTION 3. Said clause First is hereby further amended by striking out subdivision (d), as appearing in section one of chapter ninety-four of the acts of nineteen hundred and forty-three, and inserting in place thereof the following subdivision: —

G. L. (Ter. Ed.), 168, § 54, etc., further amended.

(d) A loan secured by a first mortgage of real estate located in the commonwealth, or in a state contiguous to the com-

Limitation on mortgage loans not

exceeding
sixty per cent
of value of
premises.

monwealth and within a radius of twenty-five miles of the main office of the savings bank making the loan, except real estate referred to in subsection (b) hereof, not exceeding sixty per cent of the value of the premises to be mortgaged, may be made for a period of not less than three nor more than twenty years from the date of the note; provided, that the terms of such note shall require payments on the loan to be made in periodic installments, at intervals not exceeding three months, such payments to commence not later than three months after the date of the note, except that in the case of a construction loan under this subsection, such payments may commence not later than six months after the date of the note; and such payments on any loan referred to in this subsection shall be in amounts aggregating annually not less than two per cent of the original amount of the loan.

G. L. (Ter.
Ed.), 168,
§ 54, etc.,
further
amended.

SECTION 4. Said clause First is hereby further amended by striking out subdivision (e), as appearing in section one of chapter one hundred and eighty-four of the acts of nineteen hundred and forty-five, and inserting in place thereof the following subdivision: —

Limitation on
mortgage
loans not
exceeding
seventy per
cent of value
of premises.

(e) A loan secured by a first mortgage of real estate located in the commonwealth, or in a state contiguous to the commonwealth and within a radius of twenty-five miles of the main office of the savings bank making the loan, except real estate referred to in subsection (b) hereof, not exceeding seventy per cent of the value of the premises to be mortgaged, may be made for a period of not less than five nor more than twenty years from the date of the note; provided, that the terms of the note shall require payments on the loan to be made in periodic installments, at intervals not exceeding three months, such payments to commence not later than three months after the date of the note, and such payments on any loan referred to in this subsection shall be in amounts aggregating annually not less than three per cent of the original amount of the loan; except that in the case of a construction loan under this subsection, such payments at the rate of not less than three per cent per annum may commence not later than six months after the date of the note. No loan under this subsection shall be made for a sum in excess of twenty-five thousand dollars.

G. L. (Ter.
Ed.), 168,
§ 54, etc.,
further
amended.

SECTION 5. Said clause First is hereby further amended by striking out subdivision (e $\frac{1}{2}$), as appearing in section two of said chapter one hundred and eighty-four, and inserting in place thereof the following subdivision: —

Limitation
on mortgage
loans not
exceeding
seventy-five
per cent of
value of
premises.

(e $\frac{1}{2}$) A loan secured by a first mortgage of real estate located in the commonwealth, or in a state contiguous to the commonwealth and within a radius of twenty-five miles of the main office of the savings bank making the loan, except real estate referred to in subsection (b) hereof, not exceeding seventy-five per cent of the value of the premises to be mortgaged, may be made for a period of not less than ten nor more than twenty years from the date of the note;

provided, that the terms of the note shall require payments on the loan to be made in periodic installments, at intervals not exceeding three months, such payments to commence not later than three months after the date of the note, and such payments on any loan referred to in this subsection shall be in amounts aggregating annually not less than three per cent of the original amount of the loan; except that in the case of a construction loan under this subsection, such payments at the rate of not less than three per cent per annum may commence not later than six months after the date of the note. Any mortgage taken under this subsection shall contain a provision requiring payment, at least quarterly, of a proportionate part of the estimated real estate taxes and betterment assessments. No loan under this subsection shall be made for a sum in excess of twelve thousand dollars.

Approved May 1, 1946.

AN ACT CHANGING THE NAMES OF THE NEW BEDFORD TEXTILE SCHOOL AND OF THE BRADFORD DUFEE TEXTILE SCHOOL OF FALL RIVER AND MAKING CERTAIN OTHER CHANGES IN THE LAWS RELATIVE TO SUCH INSTITUTES.

Chap. 257

Be it enacted, etc., as follows:

SECTION 1. Chapter seventy-four of the General Laws is hereby amended by striking out section forty-two, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 42.* The Bradford Dufree technical institute of Fall River and the New Bedford textile institute shall be maintained by the commonwealth for the purpose of giving instruction in the theory and practical art of textile and kindred branches of industry.

G. L. (Ter. Ed.), 74, § 42, amended.

Certain textile institutes to be state institutions.

SECTION 2. Section forty-three of said chapter seventy-four, as so appearing, is hereby amended by striking out, in the first line, the word "schools" and inserting in place thereof the word: — institutes, — so as to read as follows: — *Section 43.* The board of trustees of each of said institutes shall be a corporation for the purpose of taking by gift, bequest or devise any real or personal property.

G. L. (Ter. Ed.), 74, § 43, amended.

Trustees may hold property in trust.

SECTION 3. Section forty-four of said chapter seventy-four, as so appearing, is hereby amended by striking out, in the second line, the word "school" and inserting in place thereof the word: — institute, — so as to read as follows: — *Section 44.* The commissioner shall make an annual report as to each such institute, containing a concise statement as to its buildings, equipment, and resources, its courses and methods of instruction, the number of teachers and students during the preceding school year and the number of graduates.

G. L. (Ter. Ed.), 74, § 44, amended.

Annual report.

SECTION 4. Section forty-five of said chapter seventy-four, as so appearing, is hereby amended by striking out, in the first line and in the second line, the word "schools" and inserting in place thereof, in each instance, the word: — institutes, — so as to read as follows: — *Section 45.* The board of trustees of each of said institutes may insure the

G. L. (Ter. Ed.), 74, § 45, amended.

Insurance.

buildings of said institutes and their contents in such amount as it deems sufficient.

G. L. (Ter. Ed.), 74, § 46, amended.

Rate of tuition for non-residents.

SECTION 5. Section forty-six of said chapter seventy-four, as so appearing, is hereby amended by striking out, in the first line, the word "schools" and inserting in place thereof the word: — institutes, — so as to read as follows: — *Section 46.* The yearly tuition at any of said institutes for day students who are non-residents of the commonwealth shall not be less than one hundred and fifty dollars.

G. L. (Ter. Ed.), 74, § 46A, amended.

Tests authorized.

SECTION 6. Section forty-six A of said chapter seventy-four, as so appearing, is hereby amended by striking out, in the first line, the word "schools" and inserting in place thereof the word: — institutes, — and by striking out, in the tenth line, the word "school" and inserting in place thereof the word: — institute, — so as to read as follows: — *Section 46A.* Said institutes may make, under such regulations as their respective boards of trustees may from time to time prescribe, tests, comparative or otherwise, of new and useful improvements in textile machinery or of apparatus, dyes, compounds, processes, methods or means, directly or indirectly relating to the manufacture of textiles or to the machinery, tools, appliances and materials used in connection therewith. The person for whom any such test is made shall pay therefor on account of the commonwealth a sum not less than the actual cost thereof, including a reasonable amount for overhead expense. No such test shall be undertaken by any such institute which in the opinion of its trustees will be likely to interfere with the regular, efficient and proper exercise of school functions. In the making of such tests preference shall be given to citizens of, and to corporations organized under the laws of, the commonwealth.

G. L. (Ter. Ed.), 15, § 19, etc., amended.

Certain trustees, etc., serving in the department.

SECTION 7. Chapter fifteen of the General Laws is hereby amended by striking out section nineteen, as most recently amended by section two of chapter one of the acts of nineteen hundred and forty-two, and inserting in place thereof the following section: — *Section 19.* The trustees of the Massachusetts state college, the board of commissioners of the Massachusetts maritime academy, the trustees of the Bradford Durfee technical institute of Fall River, the trustees of the Lowell textile institute and the trustees of the New Bedford textile institute shall serve in the department.

G. L. (Ter. Ed.), 15, § 21, amended.

Board of trustees.

SECTION 8. Said chapter fifteen is hereby further amended by striking out section twenty-one, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 21.* There shall be boards of trustees for the Bradford Durfee technical institute of Fall River and for the New Bedford textile institute, each consisting of fifteen appointive members and the commissioner of education or a member of the advisory board of education designated by him, as an ex officio member, and the mayor and superintendent of schools of Fall River and of New Bedford shall be additional members ex officio of said boards, respectively. Upon the expiration of the term of office of an

appointive member, his successor shall be appointed for three years by the governor, with the advice and consent of the council.

SECTION 9. The titles preceding section twenty-one of said chapter fifteen and section forty-two of said chapter seventy-four, both as appearing in the Tercentenary Edition, are respectively changed to CERTAIN TEXTILE INSTITUTES. Changes in certain titles.

Approved May 1, 1946.

AN ACT PROVIDING FOR EXTENSIONS OF THE BOUNDARIES OF THE WEST AND SOUTH WATER SUPPLY DISTRICT OF ACTON. Chap.258

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and twenty-six of the acts of nineteen hundred and twelve, as amended, is hereby further amended by inserting after section twelve the following section: — *Section 12A.* Upon a petition in writing addressed to said commissioners of said water supply district, requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply, be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative, the clerk of said district shall, within ten days, file with the town clerk of said town and with the state secretary an attested copy of said petition and vote, and thereupon said real estate shall become and be part of the district and shall be holden under this chapter in the same manner and to the same extent as the real estate described in section one.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1946.

AN ACT TO AUTHORIZE THE CITY OF PEABODY TO MAKE IMMEDIATE USE OF CERTAIN FUNDS NOW IN ITS POSSESSION. Chap.259

Be it enacted, etc., as follows:

SECTION 1. The city of Peabody is hereby authorized to transfer the unexpended balance of the proceeds of a loan made in December, nineteen hundred and forty-four, to provide funds for enlarging Spring Pond reservoir to any other account established for purposes for which a loan may be authorized for not less than twenty years, notwithstanding the provisions of section twenty of chapter forty-four of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1946.

Chap.260 AN ACT MAKING VETERANS OF WORLD WAR II ELIGIBLE IN CERTAIN CASES FOR ENLISTMENT OR APPOINTMENT AS STATE POLICE OFFICERS, NOTWITHSTANDING ANY AGE REQUIREMENTS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make certain veterans of World War II eligible for enlistment and appointment as state police officers notwithstanding certain age requirements, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The provision of section nine A of chapter twenty-two of the General Laws, as most recently amended by chapter one hundred and seventy-five of the acts of nineteen hundred and forty-three, which prohibits a person over thirty years of age from being enlisted for the first time as an officer of the division of state police shall not prevent the enlistment or appointment as such an officer of any person otherwise eligible to appointment under said section nine A who entered the armed forces of the United States subsequent to September sixteenth, nineteen hundred and forty and prior to the termination of the existing states of war between the United States and certain foreign countries, as evidenced by a proclamation issued by the President of the United States or by a joint resolution of Congress or otherwise, and received a discharge other than a dishonorable one; provided, that at the time of his entry into the armed forces he was less than thirty years of age and that his enlistment or appointment as such an officer is made within three years of such discharge.

Approved May 2, 1946.

Chap.261 AN ACT RELATIVE TO THE SOUTH DIGHTON FIRE AND WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and ten of the acts of nineteen hundred and thirty-nine is hereby amended by striking out section seven and inserting in place thereof the following section: — *Section 7.* This act shall take full effect upon its acceptance by a majority vote of the voters of the South Dighton Fire and Water District present and voting thereon at a district meeting called for the purpose within three years after its passage; but the number of meetings so called in any one year shall not exceed three.

SECTION 2. The vote of the South Dighton Fire and Water District passed on the eleventh day of May, nineteen hundred and forty-two, accepting chapter four hundred and ten of the acts of nineteen hundred and thirty-nine, is hereby validated and confirmed and shall have the same effect as if

section seven of said chapter four hundred and ten, as amended by section one of this act, had been in effect on that date.

SECTION 3. Section three of said chapter four hundred and ten is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— Indebtedness incurred under this act shall be outside the limit of indebtedness authorized under the general laws, but shall otherwise be subject to chapter forty-four of the General Laws.

SECTION 4. This act shall take effect upon its passage.

Approved May 2, 1946.

AN ACT PROVIDING THAT THE SALARIES OF THE CLERK AND THE ASSISTANT CLERKS OF THE SUPERIOR COURT FOR CIVIL BUSINESS IN THE COUNTY OF SUFFOLK SHALL BE FIXED BY THE JUSTICES OF SAID COURT.

Chap. 262

Be it enacted, etc., as follows:

SECTION 1. Section forty-nine of chapter thirty-five of the General Laws, as most recently amended by section two of chapter four hundred and eighty-six of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "commissioners" in the fourth and fifth lines the words:—, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk,—so as to read as follows:— *Section 49.* Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, except the offices of county commissioners, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk, justices and special justices of the district courts, the messenger of the superior court in the county of Suffolk, clerks and assistant clerks of the district courts other than the clerks and assistant clerks of district courts in the county of Suffolk and of the central district court of Worcester, trial justices, other offices and positions filled by appointment of the governor with the advice and consent of the council, court officers appointed in Suffolk county under section seventy of chapter two hundred and twenty-one, court officers in attendance upon the municipal court of the city of Boston, and probation officers, but including the officer described in the first sentence of section seventy-six of said chapter two hundred and twenty-one, shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification. Offices and positions in the service of any department, board, school or hospital principally supported by the funds of the county or counties, or in the service of a hospital district established under sections seventy-eight to ninety-one, inclusive, of chapter one

G. L. (Ter. Ed.), 35, § 49, etc., amended.

Certain officers etc., to be classified by board.

Term
"salary"
defined.

hundred and eleven, shall likewise be subject to classification as aforesaid. The word "salary", as used in this section, shall include compensation, however payable; but nothing in sections forty-eight to fifty-six, inclusive, and nothing done under authority thereof, shall prevent any person from continuing to receive from a county such compensation as is fixed under authority of other provisions of law or as is expressly established by law.

G. L. (Ter.
Ed.), 221,
§ 94, etc.,
amended.

Salaries of
clerks and
assistant
clerks
of courts.

SECTION 2. Chapter two hundred and twenty-one of the General Laws is hereby amended by striking out section ninety-four, as amended by section thirty-nine of chapter one hundred and eighty of the acts of nineteen hundred and thirty-two, and inserting in place thereof the following section: — *Section 94.* Except as provided in section ninety-three and except as hereinafter provided, the salaries of clerks and assistant clerks of the supreme judicial and superior courts, other than the clerk and assistant clerks of the superior court for civil business in the county of Suffolk, shall be established in accordance with sections forty-eight to fifty-six, inclusive, of chapter thirty-five and shall be paid by their respective counties. The salary of the clerk of the supreme judicial court for Suffolk county shall be sixty-eight hundred dollars plus one hundred dollars additional for each fifty thousand population of Suffolk county above eight hundred and fifty thousand, as established by the next preceding state or national census, and fifteen hundred dollars of said salary shall be paid by the commonwealth. In the year following each state and national census, the treasurer of Suffolk county shall adjust the salary of said clerk of the supreme judicial court in accordance with the foregoing provision, on the basis of said census, and the salary so adjusted shall be allowed from January first in the year of adjustment. The assistant clerks of the superior court for criminal business in Suffolk county may receive their salary in bi-weekly instalments if they so request in writing.

G. L. (Ter.
Ed.), 221,
new § 94A,
added.

Salaries of
clerk and
assistant
clerks of
superior
court for civil
business in
Suffolk
county.

SECTION 3. Said chapter two hundred and twenty-one is hereby further amended by inserting after section ninety-four, as amended, the following section: — *Section 94A.* The clerk and the assistant clerks of the superior court for civil business in the county of Suffolk shall each receive in bi-weekly instalments from said county such salary as shall be fixed from time to time by the justices of the superior court; and of the salary so fixed for the assistant clerk of said court appointed to perform the duties of clerk pertaining to equity proceedings in said court and designated to act as clerk of said court when sitting in Boston for the hearing of causes from any other county, one thousand dollars shall be paid by the commonwealth.

SECTION 4. Salaries of the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk including the amount paid by the commonwealth to said assistant clerk appointed by the superior court to perform the duties of clerk pertaining to equity proceedings in

said court and designated to act as clerk of said court when sitting in Boston for the hearing of causes from any other county, in force on the effective date hereof shall continue in force until fixed by the justices of the superior court.

SECTION 5. This act shall take effect on September first in the current year. Effective date.
Approved May 2, 1946.

AN ACT AMENDING THE CHARTER OF THE CITY OF WOBURN Chap. 263
 BY PROVIDING FOR THE INITIATIVE AND REFERENDUM.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and seventy-two of the acts of eighteen hundred and ninety-seven is hereby amended by inserting after section forty-two the eight following sections: — *Section 42A.* A petition conforming to the requirements hereinafter provided and requesting the city council to pass a measure, except a revenue loan order, or requesting the school committee to pass a measure, therein set forth or designated, shall be termed an initiative petition, and shall be acted upon as hereinafter provided. In this and the seven following sections, "measure" shall mean an ordinance, resolution, order or vote passed by a city council, or a resolution, order or vote passed by a school committee, as the case may be.

Section 42B. Signatures to initiative petitions need not be all on one paper. All such papers pertaining to any one measure shall be fastened together and shall be filed in the office of the city clerk as one instrument, with the endorsement thereon of the names and addresses of three persons designated as filing the same. With each signature to the petition shall be stated the place of residence of the signer, giving the street and number, if any.

Within five days after the filing of said petition the registrars of voters shall ascertain by what number of registered voters the petition is signed, and what percentage that number is of the total number of registered voters, and shall attach thereto their certificate showing the result of such examination.

The city clerk shall forthwith transmit the said certificate with the said petition to the city council or to the school committee according as the petition is addressed, and at the same time shall send a copy of said certificate to one or more of the persons designated on the petition as filing the same.

Section 42C. If any initiative petition is signed by registered voters equal in number to at least twenty per cent of the whole number of registered voters, the city council or the school committee, as the case may be, shall, within twenty days after the date of the certificate of the registrars to that effect —

1. Pass said measure without alteration, subject to the referendum vote provided by sections forty-two A to forty-two H, inclusive, or

2. The city council shall call a special election to be held on a Tuesday fixed by it not less than thirty nor more than forty-five days after the date of the certificate hereinbefore mentioned, and shall submit the proposed measure without alteration to a vote of the registered voters of the city at that election; provided, that if any city election is otherwise to occur within ninety days after the date of said certificate, the city council may, at its discretion, omit calling the special election and submit the proposed measure to the voters at such approaching election.

Section 42D. If an initiative petition is signed by registered voters equal in number to at least eight per cent but less than twenty per cent of the total number of registered voters, and said measure be not passed without alteration within twenty days by the city council or the school committee, as provided in section forty-two C, such proposed measure, without alteration, shall be submitted by the city council to a vote of the registered voters of the city at the next regular municipal election. A measure proposed under this section or section forty-two C shall become effective if it shall be approved by registered voters of the city equal in number to one third of the whole number thereof and also by a majority of the voters voting on such measure, but not otherwise.

Section 42E. The ballots used when voting upon a proposed measure under section forty-two C or section forty-two D, or a measure or part thereof protested against under section forty-two F, shall state the nature of the measure in terms sufficient to show the substance thereof.

Section 42F. If, within twenty days after the final passage of any measure, except a revenue loan order, by the city council or by the school committee, a petition signed by registered voters of the city, equal in number to at least twelve per cent of the total number of registered voters, is presented to the city council or to the school committee, as the case may be, protesting against such measure, or any part thereof, taking effect, the same shall thereupon and thereby be suspended from taking effect; and the city council or the school committee, as the case may be, shall immediately reconsider such measure or part thereof; and if such measure or part thereof is not entirely rescinded, the city council shall submit the same, by the method hereinbefore provided, to a vote of the registered voters of the city, either at the next regular city election, or at a special election which may, in its discretion, be called for the purpose, and such measure or part thereof shall forthwith become null and void unless a majority of the registered voters voting on the same at such election vote in favor thereof.

The petition described in this section shall be termed a referendum petition and section forty-two B shall apply to the procedure in respect thereto, except that the words "measure or part thereof protested against" shall for this purpose be understood to replace "measure" in said section

wherever it may occur, and "referendum" shall be understood to replace the word "initiative" in said section wherever it may occur.

Section 42G. The city council may, of its own motion, and shall, upon request of the school committee if a measure originates with that committee and pertains to the affairs under its administration, submit to a vote of the registered voters of the city for adoption or rejection at a general or special city election any proposed measure, or a proposition for the repeal or amendment of any measure, in the same manner and with the same force and effect as are provided in said sections forty-two A to forty-two H, inclusive, for submission on petition.

Section 42H. If two or more proposed measures passed at the same election contain conflicting provisions only the one receiving the greater number of affirmative votes shall take effect.

SECTION 2. This act shall be submitted to the registered voters of the city of Woburn for acceptance at the regular municipal election in the year nineteen hundred and forty-nine, in the form of the following question which shall be placed on the official ballot to be used at said election: — "Shall an act passed by the general court in the year nineteen hundred and forty-six, entitled 'An Act amending the charter of the city of Woburn by providing for the initiative and referendum', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall take full effect, but not otherwise.

Approved May 2, 1946.

AN ACT AUTHORIZING THE APPOINTMENT OF AN ADDITIONAL COURT OFFICER IN THE CENTRAL DISTRICT COURT OF WORCESTER. *Chap. 264*

Be it enacted, etc., as follows:

SECTION 1. Section sixty-two of chapter two hundred and eighteen of the General Laws, as most recently amended by chapter two hundred and ninety-four of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "Chelsea" in the fourteenth line the words: — , the central district court of Worcester, — so as to read as follows: — *Section 62.* In the municipal court of the city of Boston the court officers appointed shall not exceed ten for criminal business, one of whom shall be designated by the chief justice as chief court officer of said court for criminal business and one as an assistant chief court officer, nor five for civil business, one of whom shall be designated by said chief justice as chief court officer of said court for civil business; in the municipal court of the Roxbury district five court officers may be appointed; in the third district court of Eastern Middlesex and in the municipal court of the West Roxbury district three court officers may

G. L. (Ter. Ed.), 218, § 62, etc., amended.

Number of court officers.

be appointed; in the municipal court of the South Boston district, of the Charlestown district and of the Dorchester district, the East Boston district court, the district court of Chelsea, the central district court of Worcester, the first district court of Eastern Middlesex, the district court of Springfield and the district court of East Norfolk two court officers for each court may be appointed; and in each of the other district courts in the commonwealth one court officer may be appointed.

SECTION 2. This act shall take full effect upon its acceptance during the current year by the county commissioners of Worcester county, but not otherwise.

Approved May 2, 1946.

Chap. 265 AN ACT RELATIVE TO THE PENSIONS OF CERTAIN MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF BOSTON RETIRED FOR DISABILITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and fifty-three of the acts of eighteen hundred and ninety-two is hereby amended by striking out section two, as most recently amended by section one of chapter four hundred and forty-six of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 2.* The amount of the annual pension of members of the police department retired under the provisions of this act who are certified to be permanently incapacitated by injury sustained in the actual performance of duty, or who are incapacitated for active service and have served in said department for not less than twenty-five years in the case of veterans of World War I or World War II, or for not less than thirty years in the case of those who are not such veterans, shall be two thirds of the annual compensation allowed to men of the grade in which such member served, and the amount of the annual pension of other persons retired under the provisions of this act shall be one half of the annual compensation allowed to men of the grade in which such member served. Said pensions shall be paid by the city of Boston.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1946.

Chap. 266 AN ACT RELATIVE TO PLACING UNDER THE CIVIL SERVICE LAWS THE OFFICE OF THE CHIEF ENGINEER OF THE BOARD OF FIRE ENGINEERS OF THE TOWN OF NORTH ANDOVER.

Be it enacted, etc., as follows:

SECTION 1. The reference to the office of chief of the fire department of the town of North Andover in chapter four hundred and twenty-five of the acts of nineteen hundred and forty-five shall be held to refer to the office of chief engineer

of the board of fire engineers of said town to the same extent as if said last mentioned office were specifically referred to therein.

SECTION 2. This act shall take effect upon its passage.

Approved May 3, 1946.

AN ACT REQUIRING COUNTY TREASURERS TO EMPLOY NECESSARY EMPLOYEES TO TRANSACT THE BUSINESS OF COUNTY RETIREMENT SYSTEMS.

Chap. 267

Be it enacted, etc., as follows:

Section twenty of chapter thirty-two of the General Laws, as appearing in section one of chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five, is hereby amended by striking out paragraph (3) (d) and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 32, § 20, etc., amended.

(d) Each such board by majority vote shall elect one of its members to serve as chairman until the election of his successor and shall appoint a secretary who may be, but need not be, one of its members. The county treasurer shall employ such clerical and other assistants as may be required to transact the business of such system.

Board officers and clerks.

Approved May 3, 1946.

AN ACT RELATIVE TO THE REPLACEMENT OF A BOARD OF HEALTH OF A CITY BY A HEALTH DEPARTMENT.

Chap. 268

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and eleven of the General Laws is hereby amended by striking out section twenty-six, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 26.* In each city, except as hereinafter provided, the board of health shall consist of three persons, one of whom shall be a physician. No one of them shall be a member of the city council. One member shall be appointed in January of each year for three years from the first Monday of the following February. Unless otherwise provided in the city charter, the members shall be appointed by the mayor, subject to confirmation by the board of aldermen, and may be removed by the mayor for cause, and vacancies shall be filled by appointment for the residue of the unexpired term. Members of the board shall receive such compensation as the city council may determine. Boards of health in towns shall be chosen as provided in chapter forty-one. This section shall not apply to any city in which a different type of organization is authorized by special legislative act or by the acceptance of sections twenty-six A to twenty-six E, inclusive.

G. L. (Ter. Ed.), 111, § 26, amended.

Local boards of health.

Members, appointment.

SECTION 2. Said chapter one hundred and eleven is hereby further amended by inserting after section twenty-six, as appearing in the Tercentenary Edition, the five following

G. L. (Ter. Ed.), 111, new §§ 26A to 26E, added.

Health
department,
establishment
of, duties, etc.

sections: — *Section 26A.* A city, by accepting the provisions of this section and sections twenty-six B to twenty-six E, inclusive, by vote of the city council and approval of the mayor, and a town, by accepting the provisions of said sections by vote of the town, may create a health department to replace the board of health therein. Such health department shall consist of a commissioner of health who shall perform and exercise the duties and powers of a board of health, with the advice of an advisory council of health.

Commissioner
of health.

Appointment,
qualifica-
tions, etc.

Section 26B. In a city the mayor, with the approval of the city council, unless otherwise provided in the city charter, and in a town the board of selectmen, if authorized by a vote of the town, shall appoint, and may remove for cause, a commissioner of health who shall be a citizen of the United States who has been graduated from a medical school approved by the state authority for the approval of medical schools, and either shall be the holder of a degree of public health with at least two years' full-time experience in a responsible position in public health service, or shall have had four years' full-time experience in a responsible position in such service. He shall be eligible to be registered to practice medicine under the laws of the commonwealth. Said commissioner shall devote his entire time to the performance of his duties and the supervision of the employees of the department. He shall be appointed in January for a period of five years beginning the first Monday of the following February, and until the qualification of his successor. Any vacancy in office shall be filled for the balance of the unexpired term in the same manner as the original appointment. His salary shall be such as the city council or selectmen may determine.

Advisory
council of
health.

Members,
appoint-
ment, etc.

Section 26C. The advisory council of health shall consist of six persons, two of whom shall be registered physicians. No one of them shall be a member of the city council. The members of said council first appointed hereunder shall be appointed as follows: — two members to serve for one year, two members to serve for two years, and two members to serve for three years, from the first Monday of the following February, and until the qualification of their respective successors, and thereafter two members shall be appointed in January of each year for three years from the first Monday of the following February, and until the qualification of their respective successors. In a city, unless a different mode of appointment or election is provided in the city charter, the members shall be appointed by the mayor, subject to confirmation by the city council, and in a town the members shall be appointed by the board of selectmen. Members may be removed in the same manner, for cause, and vacancies shall be filled in the same manner, by appointment for the remainder of the unexpired term. Members of the advisory council of health shall be compensated at ten dollars a day while on duty plus expenses incurred in line of duty. Said council shall meet quarterly and additional meetings may be held at any time at the call of the commissioner of health,

who shall act as chairman of said council. The advisory council of health shall advise and assist the commissioner of health.

Section 26D. Upon the qualification of the commissioner of health first appointed under section twenty-six B, the terms of the then existing members of the board of health of the city or town shall terminate and said offices shall thereupon be abolished.

Boards of health abolished under certain conditions.

Section 26E. Every such commissioner of health shall make rules and regulations for the department of health, its officers, agents and assistants. He may appoint such necessary assistants and clerks as may be required to execute the health laws and regulations of the department. They shall devote their entire time to the performance of their duties unless specifically employed on a part-time basis.

Rules and regulations.

Approved May 3, 1946.

AN ACT REGULATING THE SEPARATION FROM THE SERVICE OF THE COMMONWEALTH OF CERTAIN WAR VETERANS HOLDING UNCLASSIFIED OFFICES OR POSITIONS.

Chap. 269

Be it enacted, etc., as follows:

Chapter thirty of the General Laws is hereby amended by inserting after section nine, as appearing in the Tercentenary Edition, the following section: — *Section 9A.* A veteran, as defined in section twenty-one of chapter thirty-one, who holds an office or position in the service of the commonwealth not classified under said chapter thirty-one, other than an elective office, an appointive office for a fixed term or an office or position under section seven of this chapter, and has held such office or position for not less than ten years, shall not be involuntarily separated from such service except subject to and in accordance with the provisions of sections forty-three and forty-five of said chapter thirty-one to the same extent as if said office or position were classified under said chapter. If the separation from service in the case of such unclassified offices or positions results from lack of work or lack of money, such a veteran shall not be separated from his office or position while similar offices or positions in the same group or grade, as defined in section forty-five of this chapter, exist unless all such offices or positions are held by such veterans, in which case separation from the service shall occur in the inverse order of their respective original appointments.

G. L. (Ter. Ed.), 30, new § 9A, added.

Separation of certain war veterans holding unclassified offices or positions.

Approved May 3, 1946.

AN ACT AUTHORIZING THE TOWN OF BELCHERTOWN TO BORROW MONEY FOR SCHOOL PURPOSES.

Chap. 270

Be it enacted, etc., as follows:

SECTION 1. For the purposes of acquiring land for and constructing a school building or for the purposes of remodeling any one of the present school buildings and building an addition thereto, and of originally equipping and furnish-

ing such building or addition, the town of Belchertown may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Belchertown School Building Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 7, 1946.

Chap. 271 AN ACT TO PROVIDE FURTHER FOR MEETING CERTAIN CONTINGENCIES ARISING IN CONNECTION WITH THE SERVICE OF PUBLIC OFFICERS AND EMPLOYEES IN THE MILITARY OR NAVAL FORCES OF THE UNITED STATES.

Be it enacted, etc., as follows:

SECTION 1. Section three D of chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as inserted by section two of chapter six hundred and ten of the acts of nineteen hundred and forty-five, is hereby further amended by striking out said section and inserting in place thereof the three following sections: — *Section 3D.* Whenever any civil service employee is or was unable to compete in a competitive promotional examination because of his absence in said military or naval service, he shall, if he so requests in writing not later than six months after September first, nineteen hundred and forty-six or the date of termination of his said military or naval service in case it is terminated after said September first, be given a qualifying promotional examination. Upon the passing of such examination, he shall be entitled to the same period of eligibility which existed for the competitive promotional examination in which he was unable to compete.

Section 3E. If there is an eligible list in existence, the name of any person passing an examination provided in section three D shall be placed thereon in the order of percentage, and if there is more than one eligible list he shall be placed on the first list established unless prior to placement thereon he notifies the director otherwise. Certifications made on or before November thirtieth, nineteen hundred and forty-six, or before the date of termination of World War II as declared by the appropriate authority, whichever is the earlier, shall be made from lists prepared as provided in this section and in accordance with the civil service law and rules governing certification.

Section 3F. If there is an eligible list in existence, the name of any person passing an examination provided for in

section three D shall be placed thereon in the order of percentage. If there is no eligible list in existence, his name shall be placed on a special veteran promotional list, from which names shall not be certified, but upon the establishment of a subsequent eligible list for the same position, his name shall be placed thereon in the order of percentage. If he takes and passes the examination from which the subsequent eligible list was established, his name shall be placed on the list under both ratings, but in any one certification his name shall be certified only from the higher rating. If upon the expiration of any eligible list he has not had the period of eligibility provided in section three D, his name shall be placed on a special veteran promotional list, from which names shall not be certified, but upon the establishment of a subsequent eligible list for the same position, his name shall be placed thereon in order of percentage for the remainder of his period of eligibility. Certifications made on or after December first, nineteen hundred and forty-six, or the date of termination of World War II as declared by the appropriate authority, whichever is the earlier, shall be made from lists prepared as provided in this section and in accordance with the civil service law and rules governing certification.

SECTION 2. Section four of said chapter seven hundred and eight, as amended by section three of said chapter six hundred and ten, is hereby further amended by adding at the end the following sentence: — Certifications made on or before November thirtieth, nineteen hundred and forty-six, or before the date of termination of World War II as declared by the appropriate authority, whichever is the earlier, shall be made from lists prepared as provided in this section, and in accordance with the civil service law and rules governing certification, — so as to read as follows: — *Section 4.* Any person whose name is on any eligible list or register of the division of civil service at the time of his commencing said military or naval service and any person who otherwise becomes entitled to have his name placed on an eligible list or register on account of an examination or registration and who notifies the division of civil service that he is in said military or naval service shall be continued on such list or register for the period of said service, or for the full regular period of eligibility provided for by the civil service law and rules, whichever is the longer, and shall, upon his request in writing filed with the director of civil service within two years after the termination of said service, be continued on or restored to such list or register for a further period following such request equal to the remainder of the term of his regular period of eligibility thereon at the time he commenced said military or naval service, provided, that at the time of such request he files with the director of civil service the certificate of a registered physician that he is not physically disabled or incapacitated for performing the duties of the office or position. If more than one list exists or will exist as the result of this section, certification

shall be made from such list in order of date of establishment of such lists and in accordance with the civil service law and rules governing certification and preference to veterans and disabled veterans. Certifications made on or before November thirtieth, nineteen hundred and forty-six, or before the date of termination of World War II as declared by the appropriate authority, whichever is the earlier, shall be made from lists prepared as provided in this section, and in accordance with the civil service law and rules governing certification.

SECTION 3. Said chapter seven hundred and eight is hereby further amended by inserting after section four, as amended, the two following sections:— *Section 4A.* Any person whose name is on any eligible list or register of the division of civil service at the time of his commencing said military or naval service, and any person who otherwise becomes entitled to have his name placed on an eligible list or register on account of an examination or registration other than an examination provided in section three D, and who notifies the division of civil service that he is in said military or naval service, shall be continued on the eligible list or register for the period of eligibility of the list, and shall, if he so requests in writing not later than six months after September first, nineteen hundred and forty-six or the date of termination of his said military or naval service in case it is terminated after said September first and if he has not made a request under section four, be continued on or restored to eligibility for a further period following such request equal to the period of eligibility remaining at the time he commenced said military or naval service; provided, that at the time of such request he files with the director of civil service the certificate of a registered physician that he is not physically disabled or incapacitated for performing the duties of the office or position. If there is an eligible list in existence, the name of such person shall be placed thereon in the order of percentage and in accordance with the laws relating to veterans and disabled veterans. If there is no eligible list in existence, his name shall be placed on a special veteran list, from which names shall not be certified, but upon the establishment of a subsequent eligible list for the same position, his name shall be placed thereon in the order of percentage and in accordance with the laws relating to preference to veterans and disabled veterans. If he takes and passes the examination from which the subsequent eligible list was established, his name shall be placed on the list under both ratings, but in any one certification his name shall be certified only from the higher rating. If upon the expiration of any eligible list he has not had the period of eligibility provided in this section, his name shall be placed on a special veteran list, from which names shall not be certified, but upon the establishment of a subsequent eligible list for the same position his name shall be placed thereon in order of percentage and in accordance with the

laws relating to preference to veterans and disabled veterans for the remainder of his period of eligibility. Certifications made on or after December first, nineteen hundred and forty-six, or the date of termination of World War II as declared by the appropriate authority, whichever is the earlier, shall be made from lists as provided in this section, and in accordance with the civil service law and rules governing certification.

Section 4B. Whenever any period is set forth in sections one to four A, inclusive, the director of civil service, with the approval of the civil service commission, upon request made upon him in writing prior to the expiration of the period specified in said sections in cases where hospitalization or training is given under the Veterans' Administration, may authorize an extension in said period for the further period required by such hospitalization or training, if, in his opinion, the rights of such person would otherwise be prejudiced. The director may require such certificates as are necessary to determine the facts in the case.

SECTION 4. Said chapter seven hundred and eight is hereby amended by striking out section twenty-five, as amended, and inserting in place thereof the following section: — *Section 25.* Service in the military or naval forces of the United States referred to in this act shall, except as otherwise provided thereby, mean such service occurring between July first, nineteen hundred and forty, and the date of termination of World War II as declared by the appropriate authority.

SECTION 5. Section twelve of chapter thirty-one of the General Laws, as most recently amended by section one of chapter seven hundred and four of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the two following sentences: — On and after December first, nineteen hundred and forty-six, the director shall combine into one list all eligible lists for the same position in the order of ratings established in examinations, and in accordance with the laws relating to preference to veterans and disabled veterans. If any name appears more than once on the combined eligible list it shall be certified in any one certification only from the higher rating, — so as to read as follows: — *Section 12.* Each list of persons eligible to any position shall be prepared or revised as soon as may be after their respective ratings or standings have been determined by the director by examination or otherwise in accordance with the rules of the commission, but, in case of the determination thereof by a written examination, not later than six months after the date of such examination. The director shall not place on any such list any person not a citizen of the United States. All lists established as aforesaid shall be open to public inspection. All persons who have taken an examination shall be notified of the results thereof not later than sixty days after the date of such examination. On and after December first, nineteen hun-

G. L. (Ter. Ed.), 31, § 12, etc., amended.

List of eligibles.

dred and forty-six, the director shall combine into one list all eligible lists for the same position in the order of ratings established in examinations, and in accordance with the laws relating to preference to veterans and disabled veterans. If any name appears more than once on the combined eligible list it shall be certified in any one certification only from the higher rating.

Approved May 7, 1946.

Chap. 272 AN ACT RELATIVE TO THE REGISTRATION OF CERTAIN VETERANS OF WORLD WAR II AS PHARMACISTS.

Be it enacted, etc., as follows:

SECTION 1. The provisions of section twenty-four of chapter one hundred and twelve of the General Laws, as most recently amended by section one of chapter five hundred and two of the acts of nineteen hundred and forty-five, which provide that an applicant for registration as a pharmacist shall be a graduate of a school or college of pharmacy approved by the board of registration in pharmacy and the commissioner of education, upon such provisions becoming effective, shall not apply to a person who shall have served in the armed forces of the United States during World War II and shall have received a discharge or release, other than a dishonorable one, from such service; provided, that he is a graduate of a school or college of pharmacy approved by said board and the United States Veterans Administration.

Termination
of operation.

SECTION 2. This act shall cease to be operative on January first, nineteen hundred and fifty-three.

Approved May 7, 1946.

Chap. 273 AN ACT RELATIVE TO THE FILING OF EVIDENCE OF MARRIAGES IN ANOTHER STATE OR WITHOUT THE UNITED STATES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make possible the immediate filing of certain certificates of marriage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 207, § 36,
amended.

Certificate of
marriage
outside com-
monwealth
to be filed.

SECTION 1. Chapter two hundred and seven of the General Laws is hereby amended by striking out section thirty-six and inserting in place thereof the following: — *Section 36.* Any resident of this commonwealth who marries outside the commonwealth and thereafter resides within the United States or any of its territories or possessions, or the spouse or heirs-at-law of such a person, may personally present to the town clerk or registrar of the town where such person was domiciled at the time of said marriage an original certificate, declaration or other written evidence of the same, or a photostatic copy thereof. The clerk or registrar may file such certificate, declaration, written evidence or photo-

static copy as evidence establishing such marriage, or may make a copy thereof, which he shall attest as a true copy, and which he may then file as such evidence.

If such certificate, declaration, written evidence, photostatic copy or attested copy is not, in the opinion of the clerk or registrar, sufficient to establish such marriage, and he refuses to file the same, a judge of probate in the county wherein such town lies may, on petition and after a hearing, order him to receive such certificate, declaration, written evidence, photostatic copy or attested copy as sufficient evidence to establish such marriage, whereupon such clerk or registrar shall file the same.

SECTION 2. Section fifty-five of said chapter two hundred and seven is hereby repealed. *Approved May 8, 1946.* G. L. (Ter. Ed.), 207, § 55, repealed.

AN ACT REQUIRING THE RELEASE OF CERTAIN PERSONS
ARRESTED FOR DRUNKENNESS.

Chap. 274

Be it enacted, etc., as follows:

Section forty-five of chapter two hundred and seventy-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the eleventh, thirty-fourth and thirty-sixth lines, the word "may" and inserting in place thereof, in each instance, the word:— shall,— so as to read as follows:— *Section 45.* Whoever arrests a person for drunkenness shall make a complaint against him therefor at the next session of the court or of the trial justice having jurisdiction of the case; and such court or trial justice may proceed to hear and to dispose of the same according to due course of law; and may, if the accused has been released under this section, order the issuance of a warrant for the arrest, or a summons for the appearance, of the accused for trial, or if the court is satisfied by the report of its probation officer, or otherwise, or if the trial justice is satisfied upon inquiry that the accused has not four times before been arrested for drunkenness within a year, and that his written statement hereinafter mentioned is true, the court or trial justice shall thereupon direct that the accused, if still in custody, be released without arraignment; and if not in custody, that further proceedings in the case be suspended or that the complaint be dismissed.

G. L. (Ter. Ed.) 272, § 45, amended.

Persons arrested for drunkenness may be released in certain cases.

A person so arrested may, after he has recovered from his intoxication, make a written statement, addressed to the court or trial justice having jurisdiction of his offence, giving his name and address, setting forth what persons, if any, are dependent upon him for support, his place of employment, if any, and whether he has been arrested for drunkenness within the twelve months next preceding, and requesting to be released from custody; and may deliver said statement to the officer in charge of the place in which he is confined, who shall endorse thereon the name of the arresting officer, and if the arrest is made within the jurisdiction

Persons so arrested may make a statement in writing and request to be released from custody, etc.

of a trial justice, his opinion of the probable truth of said statement for the use of such trial justice, and shall transmit the same to such trial justice; and if the arrest is made within the jurisdiction of a court having a probation officer, the officer in charge of the place in which he is confined shall transmit such statement to said probation officer. Said probation officer, or his assistants, shall forthwith inquire into the truth thereof and shall investigate the record of said person as to previous similar offences, and, for the use of the court having jurisdiction of the case, shall endorse on such statement, with his signature, the result of his investigation. The officer for the time being in charge of the place of custody in a town where no probation officer resides forthwith shall release, and elsewhere the probation officer or assistant probation officer of the court having jurisdiction of the offence shall direct the officer in charge of the place of custody forthwith to release, and such officer so in charge shall thereupon release, such arrested person pursuant to his request; provided, that the officer so releasing or directing the release believes that the person arrested has given his true name and address, that he will appear upon a summons, and that he has not four times before been arrested for drunkenness within the preceding twelve months.

Approved May 8, 1946.

Chap. 275 AN ACT RELATIVE TO THE FURTHER SENTENCING OF CERTAIN CONVICTS UNDER SENTENCE OF IMPRISONMENT IN THE MASSACHUSETTS REFORMATORY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 279, § 28, amended.

Section twenty-eight of chapter two hundred and seventy-nine of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following sentence:—No sentence of imprisonment shall be imposed under this section in the Massachusetts reformatory, notwithstanding the provisions of section thirty-one, — so as to read as follows:—*Section 28.* If a convict serving a sentence of imprisonment in the Massachusetts reformatory is convicted of a crime punishable by imprisonment in the state prison or house of correction, the court may impose sentence of imprisonment therein and may order it to take effect forthwith, notwithstanding the former sentence. The convict shall thereupon be removed accordingly, and shall be discharged at the expiration of his sentence thereto. No sentence of imprisonment shall be imposed under this section in the Massachusetts reformatory, notwithstanding the provisions of section thirty-one.

Sentence to state prison may be executed immediately in certain cases.

Approved May 8, 1946.

AN ACT RELATIVE TO THE FURTHER SENTENCING OF CONVICTS UNDER SENTENCE OF IMPRISONMENT IN THE STATE PRISON. Chap. 276

Be it enacted, etc., as follows:

Chapter two hundred and seventy-nine of the General Laws is hereby amended by striking out section twenty-six, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 26.* A convict under sentence of imprisonment in the state prison may be further sentenced for a maximum term not longer than the longest term fixed by law for the punishment of the crime for which he has been convicted, and a minimum term not less than one year. G. L. (Ter. Ed.), 279, § 26, amended.

Further sentence of convict in state prison.

Approved May 8, 1946.

AN ACT PROVIDING THAT THE USE OF THE TELEPHONE FOR CERTAIN PURPOSES AT PLACES OF DETENTION BY PERSONS HELD IN CUSTODY THEREAT BE PERMITTED ONLY AT THEIR OWN EXPENSE. Chap. 277

Be it enacted, etc., as follows:

Section thirty-three A of chapter two hundred and seventy-six of the General Laws, inserted by chapter two hundred and five of the acts of nineteen hundred and forty-five, is hereby amended by inserting after the word "telephone" in the fourth line the words: — , at the expense of the arrested person, — so as to read as follows: — *Section 33A.* The police official in charge of the station or other place of detention having a telephone wherein a person is held in custody, not charged with a felony, shall permit the use of the telephone, at the expense of the arrested person, for the purpose of allowing the arrested person to communicate with his family or friends, or to arrange for release on bail, or to engage the services of an attorney. G. L. (Ter. Ed.), 276, § 33A, etc., amended.

Certain persons held in custody to be permitted to use telephone to arrange for bail, etc.

Approved May 8, 1946.

AN ACT RELATIVE TO CONTRIBUTIONS BY DOMESTIC CORPORATIONS TO CERTAIN FUNDS FOR THE BETTERMENT OF SOCIAL AND ECONOMIC CONDITIONS. Chap. 278

Be it enacted, etc., as follows:

Section twelve A of chapter one hundred and fifty-five of the General Laws, inserted by section one of chapter one hundred and sixty-four of the acts of nineteen hundred and thirty-eight, is hereby amended by striking out, in the fifth line, the word "general", — so as to read as follows: — *Section 12A.* Every corporation may, by vote of its directors, or of its officers having the powers of directors, contribute such sum or sums of money as said directors or officers may determine to be reasonable to any fund being raised by a relief committee or agency approved by the commissioner of public welfare, as evidenced by a writing filed in his office, G. L. (Ter. Ed.), 155, § 12A, etc., amended.

Contributions for social welfare purposes, etc.

and formed for the purpose of raising money to be used for the betterment of social and economic conditions in any community in which such corporation is doing business. Nothing in this section shall be construed as directly or indirectly restricting or otherwise affecting, except as herein provided, the rights and powers of any corporation with reference to payments of the nature above specified.

Approved May 8, 1946.

Chap.279 AN ACT AUTHORIZING THE TOWN OF SOUTHAMPTON TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of acquiring land for and constructing a school building and of originally equipping and furnishing such building, the town of Southampton may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Southampton School Building Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, inclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 10, 1946.

Chap.280 AN ACT CHANGING THE PERSONNEL OF THE BOARD OF APPEAL IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and twenty of the acts of nineteen hundred and twenty is hereby amended by striking out section one, as amended by section one of chapter three hundred and sixty-one of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section:— *Section 1.* There shall be established in the city of Malden a board to be known as the board of appeal, two members of which shall be the chairman of the assessors of taxes and the fire chief or a deputy fire chief, as designated by the fire commissioner, ex officiis, and three shall be appointed by the mayor subject to confirmation by the board of aldermen.

One of the members appointed by the mayor shall be a practical builder or architect and one shall be a lawyer. The term of office of the members so appointed shall be three years. The mayor may remove any member by him appointed, with the consent of the board of aldermen, and may

fill all vacancies. The members appointed by the mayor shall each receive as compensation for his services the sum of ten dollars a day for each day of actual service; provided, that no member shall receive more than two hundred dollars in any one year.

The members of said board shall be residents of the city of Malden. No member shall act in any case in which he is interested, and in case any member is so disqualified or is absent from illness or other cause the remaining members shall designate a substitute. Every decision of the board shall be in writing and shall require the assent of at least three members. A chairman of the board shall be chosen by and from the members thereof.

SECTION 2. Any provision of section one of chapter two hundred and twenty of the acts of nineteen hundred and twenty, as most recently amended by section one of this act, to the contrary notwithstanding the initial appointment of the additional appointive member of the board of appeal in the city of Malden authorized by section one of this act shall be for a term expiring on the first day of March, nineteen hundred and forty-eight.

SECTION 3. This act shall take effect upon its passage.

Approved May 10, 1946.

AN ACT PROVIDING FOR EXTENSIONS OF THE BOUNDARIES OF
THE LYNNFIELD WATER DISTRICT. Chap. 281

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and forty-five of the acts of nineteen hundred and twenty-four is hereby amended by adding after section twelve the following section:—

Section 12A. Upon a petition in writing addressed to said commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within thirty days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote, and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 2. This act shall take effect upon its passage.

Approved May 10, 1946.

Chap. 282 AN ACT REPEALING CERTAIN PROVISIONS OF THE LAWS RELATING TO THE CONTROL OF CERTAIN INFLAMMABLE FLUIDS USED FOR ILLUMINATING, HEATING AND COOKING PURPOSES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately make certain urgently needed changes in the laws relating to safety in buildings and structures, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 148,
§§ 48, 49
and 49A,
repealed.

Sections forty-eight, forty-nine and forty-nine A of chapter one hundred and forty-eight of the General Laws are hereby repealed.

Approved May 10, 1946.

Chap. 283 AN ACT AUTHORIZING THE RELEASE BY THE COMMONWEALTH OF CERTAIN EASEMENTS IN CERTAIN LAND IN THE TOWN OF FRAMINGHAM, AND AUTHORIZING SAID TOWN TO CONNECT A WATER MAIN THEREOF WITH A WATER MAIN OF THE WATER SUPPLY SYSTEM OF THE REFORMATORY FOR WOMEN.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of correction, with the approval of the governor and council, upon such terms, conditions and considerations as said commissioner, with like approval, may determine, is hereby authorized to release in whole or in part, on behalf of the commonwealth, by instrument or instruments approved by the attorney general, any easement for the maintenance of a pipe line from Lake Waushakum to the reformatory for women in the town of Framingham.

SECTION 2. Said town of Framingham is hereby authorized to connect a water main of said town with a water main owned by the commonwealth and used in connection with the water supply system of said reformatory for women.

SECTION 3. All connections with the water mains of the commonwealth shall be subject to the approval of its department of public health.

SECTION 4. This act shall take effect upon its passage.

Approved May 10, 1946.

Chap. 284 AN ACT PERMITTING BANKS TO CLOSE ON SATURDAYS DURING THE MONTHS OF JUNE, JULY, AUGUST AND SEPTEMBER AND PERMITTING ACTS AUTHORIZED, REQUIRED OR PERMITTED TO BE PERFORMED ON SUCH SATURDAYS, TO BE PERFORMED ON THE NEXT SUCCEEDING BUSINESS DAY.

Emergency
preamble.

Whereas, Pursuant to permissive legislation enacted in New York State in February, nineteen hundred and forty-six, the Federal Reserve Bank of New York and many other banks in that state have taken appropriate action to

remain closed on Saturdays in June, July, August and September of the current year; and

Whereas, The closing of such banks on these Saturdays will affect the procedures and practices of many banks in the commonwealth of Massachusetts; and

Whereas, It is for the best interest of the public and the employees of banks in the commonwealth that those banks desiring to do so be permitted to conform to the action of said New York banks; and

Whereas, The deferred operation of this act would in part tend to defeat its purpose, which is to make it possible for banking institutions within the commonwealth to remain closed on Saturdays in the months of June, July, August and September of each year including the current year without thereby unduly interfering with business procedures in relation to such banking institutions or affecting any liabilities or rights thereby;

Therefore, This act is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter one hundred and sixty-seven of the General Laws is hereby amended by inserting after section fifty-one, added by section one of chapter sixty-six of the acts of nineteen hundred and forty-five, the following section: — *Section 52.* Any bank, which term for the purposes of this section shall include not only any bank as defined in section one but also any national banking association, federal reserve bank, federal home loan bank, federal savings and loan association or federal credit union doing business in the commonwealth, may remain closed on any or all Saturdays in the months of June, July, August and September as it may determine from time to time, and any Saturday on which a bank remains closed shall be, with respect to such bank, a holiday and not a business day, as such words are used in chapter one hundred and seven. Any act authorized, required or permitted to be performed at or by or with respect to any bank, as herein defined, on a Saturday in June, July, August or September, may be so performed on the next succeeding business day, and no liability or loss of rights of any kind shall result from such delay.

G. L. (Ter. Ed.), 167, new § 52, added.

Term "bank" defined.

Certain banks may close on Saturdays in certain months.

Acts authorized, etc., may be performed on next succeeding business day.

Approved May 10, 1946.

AN ACT RELATIVE TO MULTIPLE LINE UNDERWRITING, SO CALLED, BY CERTAIN DOMESTIC AND FOREIGN STOCK AND MUTUAL INSURANCE COMPANIES.

Chap. 285

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by striking out section fifty-four B, inserted by section two of chapter three hundred and eighty-

G. L. (Ter. Ed.), 175, § 54B, etc., amended.

Authority
to reinsure
and write
certain policies.

Surplus to be
maintained.

four of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section: — *Section 54B.* Any company authorized to transact the kinds of business specified in any one of the first, second, fourth, sixth or twelfth clauses of section forty-seven may, except with respect to policies of life and endowment insurance and contracts for the payment of annuities and pure endowments, reinsure risks of every kind or description and may write any and all kinds of insurance other than the policies and contracts hereinbefore excluded; provided, that it maintains a surplus to policyholders, including any guaranty capital, of not less than one million dollars.

Approved May 10, 1946.

Chap. 286 AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO MAKE CERTAIN APPROPRIATIONS TO AID IN RELIEVING THE FOOD SHORTAGE.

Be it enacted, etc., as follows:

SECTION 1. The town of Brookline is hereby authorized to raise, appropriate and expend money, and to take such other action as it may deem suitable or necessary, for the purpose of relieving the food shortage by assisting citizens of said town in the raising and distribution of food products. If an owner of land in said town permits his property to be used, without compensation to him, by citizens thereof for the raising of food products, said town may use such amount of any appropriation made under authority of this act as may be necessary to reseed the land and restore it as nearly as may be to its condition immediately prior to such use. If said town, acting under authority hereby granted, shall plough or harrow or furnish other aid in the cultivation of private land situated therein, upon application of the owner of such land and for his benefit, such work shall be performed at the expense of such owner and bills shall be rendered to him therefor, and, if not paid on or before the first day of April following the completion of such work, the amount so due and unpaid may be assessed on the land upon which the work was done, and shall be a lien on the said land enforceable in the same manner and with the same effect as is provided in the case of liens for assessments for the suppression of the gypsy and brown tail moth.

SECTION 2. This act shall take effect upon its passage and shall become inoperative on November first, nineteen hundred and forty-seven.

Approved May 10, 1946.

AN ACT TO EXEMPT TRUSTS CREATED BY AN EMPLOYER IN CONNECTION WITH OR AS PART OF A STOCK BONUS, PENSION, DISABILITY, DEATH BENEFIT OR PROFIT SHARING PLAN FROM THE OPERATION OF ANY RULE OF LAW AGAINST PERPETUITIES OR SUSPENSION OF THE POWER OF ALIENATION OF TITLE TO PROPERTY AND LIMITING THE PERIOD IN WHICH ANY SUCH TRUST HERETOFORE CREATED MAY BE TERMINATED BECAUSE OF ANY SUCH RULE OF LAW.

Chap. 287

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and three of the General Laws is hereby amended by inserting after section three the following section: — *Section 3A.* A trust created by an employer as part of a stock bonus, pension, disability, death benefit or profit sharing plan for the benefit of some or all of his employees, to which contributions are made by the employer or employees, or both, for the purpose of distributing to the employees the earnings or the principal, or both earnings and principal, of the fund held in trust, may continue in perpetuity or for such time as may be necessary to accomplish the purpose for which it is created, and shall not be invalid as violating any rule of law against perpetuities or suspension of the power of alienation of the title to property.

G. L. (Ter. Ed.), 203, new § 3A, added.

Certain trusts created by an employer exempt from operation of any rule or law against perpetuities.

SECTION 2. No rule of law against perpetuities or suspension of the power of alienation of the title to property shall operate to invalidate any trust created or attempted to be created prior to the effective date of this act by an employer as a part of a stock bonus, pension, disability, death benefit or profit sharing plan for the benefit of some or all of his employees to which contributions are made by the employer or employees, or both, for the purpose of distributing to the employees earnings or principal, or both earnings and principal, of the fund held in trust, unless the trust is terminated by a court of competent jurisdiction in a suit instituted within three years after said effective date.

SECTION 3. This act shall take effect upon September first of the current year.

Effective date.

Approved May 10, 1946.

AN ACT RELATIVE TO THE RIGHT OF CIVIL SERVICE EMPLOYEES TO PETITION THE GENERAL COURT AND TO APPEAR BEFORE COMMITTEES THEREOF.

Chap. 288

Be it enacted, etc., as follows:

Chapter thirty-one of the General Laws is hereby amended by inserting after section forty-six I, inserted by section eight of chapter seven hundred and three of the acts of nineteen hundred and forty-five, the following section: — *Section 46J.* The right of persons employed under civil service by the commonwealth or by any political subdivision thereof, either individually or collectively, to petition the general court or any member thereof, to furnish information to

G. L. (Ter. Ed.), 31, new § 46J, added.

Right to petition general court.

either branch of the general court or to appear before any committee thereof shall not be denied or interfered with. This section shall not authorize an employee not on leave to absent himself during regular working hours from his office or employment without permission.

Approved May 10, 1946.

Chap.289 AN ACT AUTHORIZING THE CITY OF GLOUCESTER TO CONSTRUCT
A CERTAIN BRIDGE IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Gloucester is hereby authorized to construct a bridge without a draw over Lobster cove, so called, in said city, to replace the existing bridge and to constitute a portion of a public way in said city known as Bridge-water street, and the department of public works may license and prescribe the terms for the construction of said bridge, notwithstanding any provision of law to the contrary in section fourteen of chapter ninety-one of the General Laws, or elsewhere.

SECTION 2. For the purpose of meeting the cost of the construction of the bridge referred to in section one said city of Gloucester may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Gloucester Bridge-water Street Reconstruction Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their date. Indebtedness incurred under this act shall be within the statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof. The proceeds of loans issued hereunder shall be expended by the city solely for the purpose stated in section one.

SECTION 3. This act shall take full effect upon its acceptance by a vote of the city council of the city of Gloucester, subject to the provisions of its charter, but not otherwise.

Approved May 10, 1946.

Chap.290 AN ACT VALIDATING CERTAIN PAYMENTS BY THE COUNTY
TREASURER OF ESSEX COUNTY.

Be it enacted, etc., as follows:

The action of the county treasurer of the county of Essex in making certain payments to Harold B. Williams for certain services rendered by said Williams as deputy sheriff acting as court officer between January fifteenth, nineteen hundred and forty-five, and February eighth, nineteen hundred and forty-six, notwithstanding that he was legally ineligible to receive such compensation, is hereby validated.

Approved May 10, 1946.

AN ACT AUTHORIZING THE PLACING OF THE OFFICE OF TOWN ACCOUNTANT OF THE TOWN OF HAMILTON UNDER THE CIVIL SERVICE LAWS. *Chap.291*

Be it enacted, etc., as follows:

The office of town accountant of the town of Hamilton shall, upon the effective date of this act, become subject to the civil service laws and rules relating to town accountants in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws. This act shall be submitted to the registered voters of the town of Hamilton at the next regular municipal election in substantially the following form:

QUESTION 1.

Part 1. — Shall the town vote that the office of town accountant be placed within the classified civil service? Yes.....No.....

Part 2. — If it is voted to place the office of town accountant within the classified civil service, shall the town vote to provide for the continuance in said office of (name of incumbent), the present incumbent thereof, after passing a qualifying examination? Yes.....No.....

If a majority of the voters voting thereon vote in the affirmative in answer to Part One, the office of town accountant shall be placed within the classified civil service, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to the provisions of the civil service laws and rules relating to town accountants in towns.

If Part Two is so answered in the affirmative the incumbent of the office shall be subjected by the division of civil service to a qualifying examination for such office and, if he passes said examination, he shall be certified for said office and shall be deemed to be permanently appointed thereto without being required to serve any probationary period. If such incumbent does not pass such qualifying examination, or if a majority of the voters voting on said Part Two does not vote thereon in the affirmative, such incumbent may continue to serve in said office for the remainder of the term, if any, for which he was appointed, but shall not be subject to chapter thirty-one of the General Laws.

Approved May 10, 1946.

AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO PAY AN ANNUITY TO MARY E. COFFEY, WIDOW OF JAMES LEO COFFEY. *Chap.292*

Be it enacted, etc., as follows:

For the purpose of promoting the public good, the city of Springfield may pay an annuity of one thousand dollars per annum, payable in monthly installments, to Mary E. Coffey, widow of James Leo Coffey, former district chief of the fire department of said city, who died in the service of said city after completing thirty-six years of service in said fire department.

Approved May 10, 1946.

Chap. 293 AN ACT MAKING CERTAIN GRADUATES OF MIDDLESEX UNIVERSITY SCHOOL OF MEDICINE ELIGIBLE TO BE EXAMINED FOR REGISTRATION AS QUALIFIED PHYSICIANS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make available forthwith to certain residents of the commonwealth the opportunity to apply for registration as qualified physicians, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of section two of chapter one hundred and twelve of the General Laws, as amended, or of chapter two hundred and forty-seven of the acts of nineteen hundred and thirty-six, as amended, all persons who were residents of this commonwealth at the time of their matriculation at the Middlesex University school of medicine, and who received the degree of doctor of medicine therefrom prior to January first, nineteen hundred and forty-six, and all persons not residents of this commonwealth who received the degree of doctor of medicine from Middlesex University school of medicine prior to January first, nineteen hundred and forty-six and who shall have interned in a charitable or municipal hospital within the commonwealth said internship having commenced prior to said January first, nineteen hundred and forty-six shall be eligible to be applicants for registration as qualified physicians, shall be examined for such registration by the board of registration in medicine, and shall be subject to and have the benefit of all pertinent provisions of law relative to such eligibility and examination, to the same extent as if they had matriculated at said school of medicine prior to January first, nineteen hundred and forty-one.

Approved May 13, 1946.

Chap. 294 AN ACT AUTHORIZING THE CITY OF BOSTON TO LEASE SPACE FOR AN UNDERGROUND GARAGE FOR THE PARKING OF MOTOR VEHICLES UNDER BOSTON COMMON, CHARLES STREET AND THE PUBLIC GARDEN, OR ANY OF SAID PLACES, IN SAID CITY, INCLUDING A TUNNEL FROM COMMONWEALTH AVENUE AT ARLINGTON STREET CONNECTED THEREWITH AND AN UNDERGROUND PASSAGEWAY FROM SAID GARAGE TO TREMONT STREET.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that the free circulation of traffic of all kinds through the streets of the city of Boston is necessary to the health, safety, and general welfare of the public, whether residing in said city or traveling to, through or from said city in the course of lawful pursuits; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in

the streets of the city of Boston; that parking of motor vehicles in the streets of the city of Boston has contributed to this congestion to such an extent as to constitute at the present time a public nuisance; that such parking prevents the free circulation of traffic in, through, and from said city, impedes the rapid and effective fighting of fires and disposition of police forces in said city, threatens irreparable loss in valuations of city property which can no longer be readily reached by vehicular traffic, and endangers the health, safety, and welfare of the general public; that this parking nuisance is not capable of being adequately abated except by construction and maintenance of a garage under Boston Common, and that the enactment of section two of this act is hereby declared to be a public necessity.

SECTION 2. Any general or special law to the contrary notwithstanding, the city of Boston, acting through its park department with the approval of the mayor, is hereby authorized to enter into a contract with a private corporation for the construction and operation, at the expense of the corporation and without cost to the city, of a garage for motor vehicles under Boston Common in said city within the following boundaries: Bounded westerly by the easterly line of Charles street; northerly by the southerly line of Beacon street; easterly by the Soldiers and Sailors monument and the westerly perimeter of the Parkman bandstand; southerly by the Central Burying Ground; together with all necessary and convenient approaches above and below ground; provided, that on the Charles and Beacon street frontages combined there shall be an average setback of not less than ninety feet, except at the points of ingress and egress and except that the lessee and contractors employed by the lessee may be permitted to cross and recross said setback during the period of construction at such other points as may be approved by the park department; and of an underground passageway from said garage with entrance and exit at or near the corner of West and Tremont streets for the convenience of persons employed in or using said garage; and to grant a lease for such purposes to such corporation for a term of not exceeding forty years, subject, however, to the following terms and conditions:

(1) The construction contract and the plans and specifications of the project in detail shall be attached to and made part of the lease.

(2) The carrying out of the construction contract shall be guaranteed by a surety bond in the full amount of the contract, executed by a surety company authorized to do business in the commonwealth having a capital and surplus of not less than five million dollars.

(3) The lessee shall pay for the use of the rented premises a rental equivalent to not less than two per cent of its gross receipts.

(4) The contract shall require completion within not more than three years from its date, and the lease may be subject

to termination in case of breach of this or any other terms and conditions of the contract or the lease.

(5) The contract shall require that the work of construction be so carried on that the gardens, lawns, trees and shrubs in the area will, after construction, remain in, or be restored to, substantially the same condition as prior to construction, except at the points of ingress and egress, and that the filling or relocation of the Public Garden pond, or any part thereof, will not be required.

(6) The lease shall not be assignable without the consent of the park department with the approval of the mayor.

(7) At the termination of the lease, the garage, passageway, and the tunnel if included in the lease, and all improvements and appurtenances connected therewith shall become the property of the city of Boston.

(8) The contract and lease may contain such further terms and conditions not inconsistent with the foregoing as the park department and the mayor may approve or require.

Said city acting as aforesaid is hereby further authorized in such contract and lease and subject to the foregoing conditions to permit the lessee to construct a two-lane traffic tunnel under said Garden, Charles street and Common from Commonwealth avenue at or near Arlington street to said garage, within boundaries substantially as follows: Beginning at a point on Commonwealth avenue at about midway between Arlington street and Berkeley street and running in an easterly direction on and under Commonwealth avenue, and under Arlington street, the Public Garden and Charles street at a location on Charles street approximately midway between Beacon and Boylston streets to the proposed garage, so located as not to disturb the Washington monument or the bridge over the Public Garden pond; and subject to the further conditions that the fulfilment of any contract authorizing the construction of such tunnel shall be guaranteed by a surety bond executed by a surety company authorized to do business in the commonwealth having a capital and surplus of not less than ten million dollars, and that the design of the tunnel and its approaches, including the means of ventilation, shall have received the approval of the department of public works and of the transit commission of said city.

SECTION 3. This act shall take effect upon its passage.

Approved May 14, 1946.

Chap.295 AN ACT AUTHORIZING THE TOWN OF HOLLAND TO BORROW FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of acquiring land for and constructing a school building and originally equipping and furnishing the same, the town of Holland may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding,

in the aggregate, fifteen thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Holland School Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.
Approved May 14, 1946.

AN ACT AUTHORIZING THE CITY OF REVERE TO CONSTRUCT A
COMMUNITY CENTER AND TO BORROW MONEY FOR SUCH
PURPOSE. *Chap. 296*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land for and constructing a community center, including architects' fees, and of originally equipping and furnishing said center as a memorial to the veterans of said city, the city of Revere may borrow from time to time within a period of three years from the passage of this act such sums as may be necessary, not exceeding, in the aggregate, twenty thousand dollars, and may issue bonds or notes of the town therefor, which shall bear on their face the words, Revere Community Center Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be within the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.
Approved May 14, 1946.

AN ACT AUTHORIZING THE TOWN OF NORFOLK TO BORROW
FOR SCHOOL PURPOSES. *Chap. 297*

Be it enacted, etc., as follows:

SECTION 1. For the purposes of constructing a school building and originally equipping and furnishing the same, the town of Norfolk may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, sixty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Norfolk School Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four

of the General Laws, including the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 14, 1946.

Chap. 298 AN ACT PROVIDING FOR THE ESTABLISHMENT OF RIGHTS OF WAY FOR PUBLIC ACCESS TO GREAT LAKE AND TO PARISH POND IN THE TOWN OF OTIS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Berkshire county are hereby authorized and directed to lay out in the town of Otis rights of way for public access to Great lake and to Parish pond, in accordance with plans to be approved by the department of public works and showing the location and dimensions of such rights of way, but such rights of way shall not cross the location of any railroad. If it is necessary to acquire land for the purpose of laying out such rights of way said county commissioners shall at the time such rights of way are laid out take such land by eminent domain under chapter seventy-nine of the General Laws. Any person sustaining damages in his property by the laying out of such rights of way, or by specific repairs or improvements thereon, shall be entitled to recover the same under said chapter seventy-nine; provided, that the right to recover damages, if any, by reason of the laying out of such rights of way, shall vest upon the recording of the order of taking by said county commissioners and that no entry or possession for the purpose of constructing a public way on land so taken shall be required for the purpose of validating such taking or for the payment of damages by reason thereof.

SECTION 2. The selectmen of the town of Otis from time to time may make specific repairs on or improve such ways to such extent as they may deem necessary, but neither the county of Berkshire, nor any city or town therein, shall be required to keep such rights of way in repair, nor shall they be liable for injury sustained by persons travelling thereon; provided, that sufficient notice to warn the public is posted where such ways enter upon or unite with an existing public way.

SECTION 3. All expenses incurred by said county commissioners in connection with such rights of way shall be borne by the county of Berkshire, or by such cities and towns therein, and in such proportions, as said county commissioners may determine.

SECTION 4. Said rights of way shall not be discontinued or abandoned without authority therefor from the general court.

SECTION 5. Nothing in this act shall be construed to limit the powers of the department of public health, or of any local board of health, under any general or special law.

SECTION 6. This act shall take effect upon its passage.

Approved May 14, 1946.

AN ACT RELATING TO THE ISSUE OF LICENSES TO PARTNERSHIPS TO ACT AS INSURANCE AGENTS OR BROKERS OR ADJUSTERS OF FIRE LOSSES, AND THE QUALIFICATIONS OF THE MEMBERS OF SUCH PARTNERSHIPS, AND PROVIDING THAT CERTAIN MEMBERS OF SUCH A PARTNERSHIP NEED NOT BE SPECIFIED IN ITS LICENSE.

Chap. 299

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by striking out section one hundred and seventy-three, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 173.* The licenses described in sections one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight and one hundred and seventy-two may, upon payment of the fees prescribed by section fourteen, be issued to partnerships on the conditions specified in and subject to said sections, except as otherwise provided herein. Each license shall specify by name the partners authorized to act thereunder in the name and on behalf of the partnership, which shall include all the partners except as provided below. Executors, administrators and trustees of the estates of deceased partners who were members of the partnership to be licensed or any predecessor partnership which conducted a business to which the partnership to be licensed has directly or indirectly succeeded and partners or former partners who have retired from active participation in such partnership or any such predecessor partnership or their legal representatives may be partners in the partnership for periods not exceeding in the case of such executors, administrators or trustees ten years from the death of such partner, for the sole purpose of protecting and enforcing any rights of such deceased or retired partner. Such partners shall not be specified in the license and shall not be authorized to act in the name or on behalf of the partnership in respect to any matter requiring a license under any of said sections; provided, that any such non-specified partner may request the continuance with the partnership of the account of any one who was a customer of such partnership or predecessor partnership at the date of such death or retirement. Each partner so to be specified shall file the statement or application required by law, including a written request that the license be issued in the partnership name, and a list of the partners to be specified in the license; partners not to be specified shall not be required to file such statement or application, but there shall be furnished with respect to them such information as the commissioner shall request. Together with said statements or applications, there shall be filed a duplicate original of the written partnership agreement signed by all the partners. The license shall be issued in the partnership name, and may be revoked or suspended as to one or all specified members

G. L. (Ter. Ed.), 173, § 173, amended.

Partnership as agent, broker, etc.

Penalty.

of the partnership. Minors who are parties to the written articles of partnership may be included in the partnership license, provided that there is one adult member of the firm who is a specified partner. If the partnership is terminated prior to the expiration of the license, the partners shall forthwith give notice thereof to the commissioner, who shall thereupon without a hearing revoke the license. Each specified partner shall be personally liable to the penalties of the insurance laws for any violation thereof, although the act of violation is done in the name of or on behalf of the partnership. Whoever, being licensed as a specified partner under this section, fails to give notice as required herein of the termination of the partnership, or after the partnership is terminated acts under such license, shall be punished by a fine of not less than twenty nor more than five hundred dollars.

Approved May 14, 1946.

Chap. 300 AN ACT TO PROVIDE FOR AN ADDITIONAL COURT OFFICER IN THE MUNICIPAL COURT FOR THE DORCHESTER DISTRICT.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 218.
§ 62, etc.,
amended.

Number of
court officers
in district
courts.

Section sixty-two of chapter two hundred and eighteen of the General Laws, as most recently amended by section one of chapter two hundred and sixty-four of the acts of the current year, is hereby further amended by inserting after the word "Middlesex", the first time said word occurs therein, the words: —, in the municipal court of the Dorchester district, — and by striking out the words: — and of the Dorchester district, — so as to read as follows: — *Section 62.* In the municipal court of the city of Boston the court officers appointed shall not exceed ten for criminal business, one of whom shall be designated by the chief justice as chief court officer of said court for criminal business and one as an assistant chief court officer, nor five for civil business, one of whom shall be designated by said chief justice as chief court officer of said court for civil business; in the municipal court of the Roxbury district five court officers may be appointed; in the third district court of Eastern Middlesex, in the municipal court of the Dorchester district and in the municipal court of the West Roxbury district three court officers may be appointed; in the municipal court of the South Boston district, of the Charlestown district, the East Boston district court, the district court of Chelsea, the central district court of Worcester, the first district court of Eastern Middlesex, the district court of Springfield and the district court of East Norfolk two court officers for each court may be appointed; and in each of the other district courts in the commonwealth one court officer may be appointed.

Approved May 14, 1946.

AN ACT RELATIVE TO ANNUAL VACATIONS FOR CERTAIN EMPLOYEES OF CERTAIN CITIES AND TOWNS. *Chap. 301*

Be it enacted, etc., as follows:

Section one hundred and eleven of chapter forty-one of the General Laws, as most recently amended by chapter two hundred and eighty of the acts of nineteen hundred and forty-three, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: — In any city or town which has accepted chapter two hundred and seventeen of the acts of nineteen hundred and fourteen or has accepted this section in any form, or which accepts this section in the manner hereinafter provided, or has accepted earlier provisions of this section, all permanent civil service employees as well as persons classified as common laborers, skilled laborers, mechanics or craftsmen, regularly employed by such city or town, shall be granted an annual vacation of not less than two weeks without loss of pay. Such vacations shall be granted by the heads of the respective departments of the city or town at such time as in their opinion will cause the least interference with the performance of the regular work of the city or town. A person shall be deemed to be regularly employed, within the meaning of this section, if he has actually worked for the city or town for twenty-six weeks in the aggregate during the preceding calendar year. Any such person who has actually worked for such a city or town for twenty-six weeks in the aggregate during the preceding calendar year and whose employment is terminated without his having been granted the vacation based thereon to which he would otherwise be entitled under this section shall be paid an amount equal to two weeks' wages at the rate at which he was entitled to be compensated for the two weeks immediately preceding the termination of his employment; and in such case the official head of the department in which he was last employed shall enter such amount on the departmental pay roll. Any official of a city or town whose duty it is to grant a vacation as provided by this section who wilfully refuses to grant the same or to make such entry on the departmental pay roll shall be punished by a fine of not more than one hundred dollars. The department of labor and industries shall enforce this section, and shall have all necessary powers therefor.

G. L. (Ter. Ed.), 41, § 111, etc., amended.

Vacations of laborers, etc., in certain cities and towns.

Approved May 14, 1946.

Chap. 302 AN ACT RELATIVE TO NOTICE TO RESPONDENTS IN ACTIONS TO ESTABLISH TITLES ACQUIRED BY PURCHASE OF LANDS OF LOW VALUE HELD BY A CITY OR TOWN UNDER TAX TITLES, AND PROVIDING FOR THE CONCLUSIVENESS OF DECREES IN SUCH ACTIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 60, § 80B, etc., amended.

Jurisdiction of land court to quiet title, etc.

Chapter sixty of the General Laws is hereby amended by striking out section eighty B, inserted by section three of chapter five hundred and ninety-four of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section:— *Section 80B.* The holder of a title acquired under section seventy-nine or eighty, whether acquired before or after the effective date of this section, may file in the land court a petition to establish such title by requiring all persons who would have an interest in the land involved except for either the petitioner's title or his chain of title originating under section seventy-nine or eighty to show cause why they should not bring an action to try any claim or claims which they may have adverse to the petitioner's title arising out of the tax proceedings upon which such title was based. The petition shall set forth on oath the petitioner's source of title, giving a reference to the place, book and page of record of the deed under section seventy-nine or eighty upon which the petitioner relies, the description of the land involved which appeared in the tax deed or instrument of taking upon which such deed under section seventy-nine or eighty was based, the names of all such persons known to the petitioner and such other facts as may be necessary for the information of the court; but the petitioner need not allege in such petition nor show during the hearing thereof any error or irregularity in the tax proceedings upon which such title depends or any other defect in such title. The petition shall be in the alternative praying that such persons be ordered to show cause why they should not bring action to try such claim or claims or, if such persons do not appear within the time fixed or, having appeared, disobey the lawful order of the court to try their claim or claims, that the court enter a decree that they be forever barred from having or enforcing any such claim or claims adversely to the petitioner, his heirs or assigns, in the land described.

If any such persons are unascertained, not in being, unknown or out of the commonwealth, or cannot be actually given notice and made personally amenable to the decree of the court, they may be made respondents and, if they are unascertained, not in being or unknown, may be described generally, as the heirs or legal representatives of A B, or such persons as shall become heirs, devisees or appointees of C D, a living person, or persons claiming under A B.

Upon the filing of the petition, the court shall notify all such persons of the pendency of the petition, the notice to be sent to each by registered mail and the return of receipt

to be required, the addresses of such persons, so far as may be ascertained, being furnished by the petitioner. Such other and further notice by publication or otherwise shall be given as the court may at any time order. The notice, to be addressed "To all whom it may concern", shall contain the name of the petitioner, the names of all respondents named in the petition, the description of the land, and a statement of the nature of the petition, shall fix the time within which appearance may be entered and shall contain a statement that unless the persons notified shall appear within the time fixed that they shall be forever barred from having or enforcing any such claim or claims adversely to the petitioner, his heirs or assigns, in the land described.

If, after notice has been given and the time limited in such notice for the appearance of the respondents has expired, the court finds that there are or may be respondents not actually given notice who have not appeared, or who are minors, or persons under disability, or unascertained, unknown or out of the commonwealth, it may of its own motion, or on the representation of any party, appoint a disinterested person to act as guardian ad litem for any such respondents. The compensation of the guardian ad litem shall be determined by the court and paid by the petitioner.

After all the respondents have been given notice as hereinbefore provided and after the appointment of a guardian ad litem, if such appointment has been made, the court may proceed as though all respondents had been actually notified. Such petition shall be a proceeding in rem against the land, and any decree entered as hereinafter provided shall operate directly on the land and have the force of a release made by or on behalf of all respondents of all claims adverse to the petitioner's title.

The persons so notified shall by answer show why they should not be required to bring an action to try such claim or claims, and the court shall enter an appropriate decree relative to bringing and prosecuting such action. If the persons so notified do not appear within the time fixed or, having appeared, disobey the lawful order of the court to try their claim or claims, the court shall enter a decree that they be forever barred from having or enforcing any such claim or claims adversely to the petitioner, his heirs or assigns, in the land described; provided, that such decree shall not be entered unless the petitioner has proved to the court that the collector's deed or the instrument of taking, as the case may be, upon which the petitioner's title depends, was duly recorded within the time provided therefor by law. No petition to vacate such decree and no proceeding at law or in equity for reversing or modifying such a decree shall be commenced by any person except within one year after the final entry of the decree if the decree is entered on or after September first, nineteen hundred and forty-six, or within one year after said date if the decree was entered prior to said date.

If, as the result of a petition filed under this section, the petitioner's title is adjudged invalid by a court of competent jurisdiction because of errors or irregularities in the tax proceedings upon which it was based, the clerk, upon request, shall issue a certificate to that effect. The treasurer of the city or town where the land affected by such title is situated, upon receipt of a release by the holder of said title of all interest which he may have under it, together with such certificate, shall refund to such holder the amount paid therefor but not exceeding the amount received by the city or town.

Notice of filing the petition and notice of the final disposition thereof shall be recorded in the registry of deeds, as provided for in land registration proceedings.

The land court shall have jurisdiction of petitions under this section and, except as herein provided, practice and procedure under this section shall conform as nearly as possible to the land court practice, rules, regulations and procedure under chapter one hundred and eighty-five in so far as the same may be applicable.

Approved May 14, 1946.

Chap.303 AN ACT REVIVING THE SCHILLERVEREIN CORPORATION.

Be it enacted, etc., as follows:

The Schillerverein Corporation, a corporation dissolved under the provisions of section fifty-four of chapter one hundred and fifty-five of the General Laws, is hereby revived and continued with the same powers, duties and obligations as if said corporation had not been dissolved.

Approved May 14, 1946.

Chap.304 AN ACT PROHIBITING DISCRIMINATION BETWEEN LICENSEES AUTHORIZED TO SELL ALCOHOLIC BEVERAGES BY ELIMINATING THE PRACTICE OF MANUFACTURERS AND WHOLESALEERS IN GRANTING DISCOUNTS, REBATES, ALLOWANCES, FREE GOODS AND OTHER INDUCEMENTS TO FAVORED LICENSEES.

Emergency
preamble.

Whereas, The practice of manufacturers and wholesalers in granting discounts, rebates, allowances, free goods and other inducements to favored licensees contributes to a disorderly distribution of alcoholic beverages; and

Whereas, The deferred operation of this act would delay the proper regulation thereunder of the alcoholic beverage industry and be contrary to the interests of temperance, therefore this act is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter one hundred and thirty-eight of the General Laws is hereby amended by inserting after section twenty-five, as amended, the two following sections: — *Section 25A.* No

G. L. (Ter.
Ed.), 138,
new § 25A
and 25B,
added.
Discrimina-

licensee authorized under this chapter to sell alcoholic beverages to wholesalers or retailers shall —

tion by manu-
facturers and
wholesalers
between
licensees
prohibited.

(a) Discriminate, directly or indirectly, in price, in discounts for time of payment or in discounts on quantity of merchandise sold, between one wholesaler and another wholesaler, or between one retailer and another retailer purchasing alcoholic beverages bearing the same brand or trade name and of like age and quality;

(b) Grant, directly or indirectly, any discount, rebate, free goods, allowance or other inducement, except a discount not in excess of two per centum for quantity of alcoholic beverages except wines, or a discount not in excess of five per centum for quantity of wines.

Section 25B. (a) No brand of alcoholic beverages shall be sold within the commonwealth to a wholesaler or retailer unless schedules, as provided by this section, are filed with the commission and are then in effect.

Schedules
of price,
name, etc.,
to be filed.

(b) Each of the schedules hereinafter referred to shall be in writing, duly verified, and filed in the number of copies and form as required by the commission, and shall contain, with respect to each item, the exact brand or trade name, capacity of package, nature of contents, age and proof where stated on the label, the bottle and case price to wholesalers, the bottle and case price to retailers, which prices shall be individual for each item and not in "combination" with any other item, the number of bottles contained in each case, and the discounts for quantity, if any.

(c) The schedule containing the bottle and case price to wholesalers shall be filed by (1) the owner of such brand, or (2) a wholesaler selling such brand and who is designated as agent for the purpose of filing such schedule if the owner of the brand is not licensed by the commission, or (3) with the approval of the commission, by a wholesaler, in the event that the owner of the brand is unable to file a schedule or designate an agent for such purpose.

(d) The schedule containing the bottle and case price to retailers shall be filed by each manufacturer and wholesaler who sells brands of alcoholic beverages to retailers; provided, that nothing contained in this section shall require any manufacturer or wholesaler to list in any schedule to be filed pursuant to this section any item offered for sale to a retailer under a brand which is owned exclusively by one retailer and sold at retail within the commonwealth by such retailer.

(e) Each such schedule shall be filed on or before the tenth day of each month on a date to be fixed by the commission, and the prices and discounts therein set forth shall become effective on the first day of the calendar month following the filing thereof and shall be in effect for such calendar month. Within ten days after the filing of such schedule the commission shall make it or a composite thereof available for inspection by all licensees. Within three business days after such inspection is provided for, a wholesaler

may amend his filed schedule for sales to retailers in order to meet lower competing prices and discounts for alcoholic beverages of the same brand or trade name, and of like age and quality filed pursuant to this section by any licensee selling such brand; provided, that such amended prices are not lower and discounts are not greater than those to be met. Any amended schedule so filed shall become effective on the first day of the calendar month following the filing thereof and shall be in effect for such calendar month. No brand of alcoholic beverages shall be sold to any licensee except at the price then in effect.

All schedules filed pursuant to this section shall be subject to public inspection from the time that they are required to be made available for inspection by licensees, and shall not be considered confidential. Each manufacturer and wholesaler shall retain in his licensed premises for inspection by licensees a copy of his filed schedules as then in effect. The commission may make such rules and regulations as shall be appropriate to carry out the purpose of sections twenty-five A and twenty-five B.

Approved May 15, 1946.

Chap. 305 AN ACT PROVIDING FOR A REVIEW BY THE ALCOHOLIC BEVERAGES CONTROL COMMISSION OF THE GRANTING OF SEASONAL LICENSES, SO CALLED, FOR THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 138, § 17, etc., amended.

Section seventeen of chapter one hundred and thirty-eight of the General Laws, as amended, is hereby further amended by adding at the end of the paragraph which authorizes the issuance of seasonal licenses, as appearing in section three of chapter four hundred and twenty-four of the acts of nineteen hundred and thirty-seven, the two following sentences: — Upon the petition of twenty-five persons who are taxpayers of the city or town in which a seasonal license has been so granted, or who are registered voters in the voting precinct or district wherein the licensed premises are situated, filed within five days after the granting of such license, the commission shall, and upon its own initiative at any time may, after a hearing, examine and review any estimate made or action taken by the local licensing authorities in granting the same, and after such examination or review, may rescind, revoke, cancel, modify or suspend any such estimate or action. Nothing in this paragraph shall be deemed to authorize or permit the commission to deny a renewal of, or to rescind, revoke or cancel, because of a decrease in population, any seasonal license outstanding and in full force on April thirtieth, nineteen hundred and forty-six, — so that said paragraph will read as follows: —

Seasonal licenses.

The local licensing authorities of any city or town, except the city of Boston, may make an estimate prior to March first in any year of any temporary increased resident population in such city or town as of July tenth following, and one

additional license under section twelve, to be effective from April first to November thirtieth only, may be granted by said authorities for each unit of one thousand or additional fraction thereof of such population as so estimated, and one additional license under section fifteen, to be effective from April first to November thirtieth only, may be so granted for each unit of five thousand or additional fraction thereof, of such population as so estimated; and provided, further, that said authorities may grant, in addition and irrespective of any limitation of number of licenses contained in this section, seasonal licenses under section twelve to duly incorporated clubs in their city or town if deemed by them to be in the public interest. Every estimate hereunder of temporary resident population shall be made and voted upon by the local licensing authorities at a meeting of said authorities called for the purpose after due notice to each of the members thereof of the time, place and purpose of said meeting and after investigation and ascertainment by them of all the facts and after co-operative discussion and deliberation. A copy of such an estimate, signed by a majority of the members of said authorities, stating under the penalties of perjury that all the foregoing requirements have been complied with and that the estimate is true to the best of their knowledge and belief, shall be forwarded forthwith to the commission. Upon the petition of twenty-five persons who are taxpayers of the city or town in which a seasonal license has been so granted, or who are registered voters in the voting precinct or district wherein the licensed premises are situated, filed within five days after the granting of such license, the commission shall, and upon its own initiative at any time may, after a hearing, examine and review any estimate made or action taken by the local licensing authorities in granting the same, and after such examination or review, may rescind, revoke, cancel, modify or suspend any such estimate or action. Nothing in this paragraph shall be deemed to authorize or permit the commission to deny a renewal of, or to rescind, revoke or cancel, because of a decrease in population, any seasonal license outstanding and in full force on April thirtieth, nineteen hundred and forty-six.

Appeal by
taxpayers.

Approved May 15, 1946.

AN ACT EXTENDING THE TIME DURING WHICH SCHOOL TEACHERS AND SUPERINTENDENTS AND ASSISTANT SUPERINTENDENTS AND JANITORS OF SCHOOLS, AND CERTAIN OTHER PERSONS SERVING THE COMMONWEALTH OR ANY POLITICAL SUBDIVISION THEREOF IN OFFICES FILLED BY POPULAR ELECTION TO WHICH THEY HAVE BEEN APPOINTED TO FILL VACANCIES BY REASON OF EMPLOYMENT OR RE-EMPLOYMENT DURING WORLD WAR II MAY CONTINUE TO SERVE.

Chap. 306

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make possible the continuation of certain persons in the service of the commonwealth and

Emergency
preamble.

its political subdivisions whose service, but for this act, would terminate on June first in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter sixteen of the acts of nineteen hundred and forty-two is hereby amended by striking out section four, inserted by chapter fifty-five of the acts of nineteen hundred and forty-six, and inserting in place thereof the following section: — *Section 4.* This act shall remain in effect only until the first day of June, nineteen hundred and forty-six, and employments hereunder shall not extend beyond said date; provided, that with respect to employments of school teachers and of superintendents and assistant superintendents and janitors of schools it shall remain in effect until the thirtieth day of June, nineteen hundred and forty-six, and such teachers, superintendents and assistant superintendents and janitors may continue to be so employed until the date last mentioned; and provided, further, that with respect to the employment or re-employment of any person to fill a vacancy in an office filled by popular vote at a state election it shall remain in effect until the first day of January, nineteen hundred and forty-seven and such person may continue to be so employed until the date last mentioned.

Approved May 16, 1946.

Chap.307 AN ACT AUTHORIZING THE COMMISSIONER OF CONSERVATION TO LEASE LAND IN THE OCTOBER MOUNTAIN STATE FOREST IN THE TOWNS OF LEE AND WASHINGTON TO THE BERKSHIRE COUNCIL OF THE BOY SCOUTS OF AMERICA.

Be it enacted, etc., as follows:

SECTION 1. Chapter seventy-seven of the acts of nineteen hundred and forty-six is hereby amended by striking out, in the fourth line, the words "town of Lee" and inserting in place thereof the words: — towns of Lee and Washington, — so as to read as follows: — The commissioner of conservation is hereby authorized and directed to lease to the Berkshire Council of the Boy Scouts of America sufficient land in the October Mountain State Forest in the towns of Lee and Washington for a scout camp. Said lease shall contain such terms and conditions as will comply with all laws in relation to the protection of fish, birds and quadrupeds and the preservation and development of said forest. Notwithstanding said lease the control and supervision of the land so leased shall remain under said commissioner, and all provisions of law relating to state forests not inconsistent with this act shall remain in full force and effect. Upon failure of said council for the period of two years to make use of said property for the purposes of said lease said commissioner may immediately cancel said lease upon written

notification to said council. Upon termination of said lease any buildings or other structures on the leased property shall become the property of the commonwealth. Nothing in this act shall be construed to prevent the use of said forest by the public to the same extent as if this act had not been passed.

SECTION 2. This act shall take effect as of March twenty-eighth, nineteen hundred and forty-six.

Approved May 16, 1946.

AN ACT TO AUTHORIZE THE NORTHFIELD SCHOOLS TO HOLD
ADDITIONAL REAL AND PERSONAL ESTATE. Chap.308

Whereas, The deferred operation of this act would tend to defeat one of its principal purposes, which is to grant to the corporation referred to therein an immediate extension of its authority to hold additional real and personal estate, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter fifty-seven of the acts of nineteen hundred and twenty-six is hereby amended by striking out, in the sixth line, the word "four" and inserting in place thereof the word: — nine, — so as to read as follows: — The Northfield Schools, a corporation incorporated by chapter six hundred and nine of the acts of nineteen hundred and twelve, is hereby authorized to receive by gift, grant, devise, bequest or otherwise, or to purchase, and to hold and manage, property, real or personal, to an amount not exceeding nine million dollars in addition to the amount now authorized by law, and from time to time to invest and reinvest such personal property and the proceeds of any sale or exchange of such real or personal property.

Approved May 16, 1946.

AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF
DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND
CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR IN-
TEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS,
AND FOR CERTAIN PERMANENT IMPROVEMENTS. Chap.309

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section two, are hereby appropriated from the general fund or revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year

ending June thirtieth, nineteen hundred and forty-seven, in this act referred to as the year nineteen hundred and forty-seven, or for such other period as may be specified.

SECTION 2.

Service of the Legislative Department.

Item		
0101-01	For the compensation of senators	\$102,500 00
0101-02	For expenses of senators, including travel, for the year nineteen hundred and forty-seven	25,000 00
0101-03	For the compensation of representatives	602,500 00
0101-04	For expenses of representatives, including travel, for the year nineteen hundred and forty-seven	148,000 00
0101-05	For the salaries of the clerk of the senate and the clerk of the house of representatives	17,000 00
0101-06	For the salaries of the assistant clerk of the senate and the assistant clerk of the house of representatives	11,000 00
0101-07	For such additional clerical assistance to, and with the approval of, the clerk of the senate, as may be necessary for the proper despatch of public business, including not more than one permanent position	4,000 00
0101-08	For such additional clerical assistance to, and with the approval of, the clerk of the house of representatives, as may be necessary for the proper despatch of public business, including not more than three permanent positions	9,600 00
0101-09	For the salary of the sergeant-at-arms	5,000 00
0101-10	For clerical and other assistance employed by the sergeant-at-arms, including not more than four permanent positions	9,550 00
0101-11	For the compensation for travel of doorkeepers, assistant doorkeepers, general court officers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same	26,000 00
0101-12	For the salaries of the doorkeepers of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than two permanent positions	7,000 00
0101-13	For the salaries of assistant doorkeepers of the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, including not more than twenty-five permanent positions	65,500 00
0101-14	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than fifteen permanent positions	12,850 00
0101-15	For the salaries of clerks employed in the legislative document room, including not more than two permanent positions	7,300 00
0101-17	For the salaries of the chaplains of the senate and house of representatives, including not more than two permanent positions	1,500 00
0101-18	For personal services of the counsel to the senate and assistants, including not more than four permanent positions	25,800 00
0101-19	For personal services of the counsel to the house of representatives and assistants, including not more than six permanent positions	35,600 00

Item		
0101-20	For clerical and other assistance of the senate committee on rules, including not more than one permanent position	\$5,000 00
0101-21	For clerical and other assistance of the house committee on rules, including not more than four permanent positions	10,140 00
0101-25	For clerical and other assistance of the house committee on ways and means, including not more than two permanent positions	7,320 00
0102-01	For traveling and such other expenses of the committees of the general court as may be authorized by order of either branch of the general court	10,000 00
0102-02	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches	100,000 00
0102-03	For printing the manual of the general court, with the approval of the clerks of the two branches	5,500 00
0102-04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than one permanent position	25,000 00
0102-05	For stationery for the senate, purchased by and with approval of the clerk	400 00
0102-06	For office and other expenses of the committee on rules on the part of the senate	200 00
0102-07	For office expenses of the counsel to the senate	300 00
0102-08	For stationery for the house of representatives, purchased by and with the approval of the clerk	800 00
0102-09	For office and other expenses of the committee on rules on the part of the house	2,000 00
0102-10	For office expenses, including travel, of the counsel to the house of representatives	300 00
0102-11	For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, with the approval of the sergeant-at-arms	9,500 00
0102-12	For telephone service	7,000 00
0102-13	For biographical sketches of certain state and federal officials	3,000 00
0102-14	For the payment of witness fees to persons summoned to appear before committees of the general court, and for expenses incidental to summoning them, with the approval of the sergeant-at-arms	200 00
0102-28	For expenses of the house committee on ways and means	1,000 00
	Total	\$1,303,360 00

Service of the Judicial Department.

Supreme Judicial Court, as follows:

0301-01	For the salaries of the chief justice and of the six associate justices	\$99,000 00
0301-02	For traveling allowances and expenses	1,500 00
0301-03	For the salary of the clerk for the commonwealth	6,500 00
0301-04	For clerical assistance to the clerk	2,300 00

Item		
0301-05	For law clerks, stenographers and other clerical assistance for the justices	\$28,000 00
0301-06	For office supplies, services and equipment	5,000 00
0301-07	For the salaries of the officers and messengers	3,590 00
0301-08	For the commonwealth's part of the salary of the clerk for the county of Suffolk	1,500 00
	Total	\$147,390 00
	Reporter of Decisions:	
0301-11	For the salary of the reporter of decisions	\$6,000 00
0301-12	For clerk hire and office supplies, services and equipment, including not more than four permanent positions	13,000 00
	Total	\$19,000 00
	Superior Court, as follows:	
0302-01	For the salaries of the chief justice and of the thirty-one associate justices	\$385,000 00
0302-02	For traveling allowances and expenses	17,000 00
0302-03	For the salary of the assistant clerk, Suffolk County	1,000 00
0302-04	For clerical work, inspection of records and doings of persons authorized to admit to bail, for an executive clerk to the chief justice, and for certain other expenses incident to the work of the court	14,000 00
	Total	\$417,000 00
	Justices of District Courts:	
0302-11	For compensation of justices of district courts while sitting in the superior court	\$6,000 00
0302-12	For expenses of justices of district courts while sitting in the superior court	750 00
0302-13	For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in place of the justice, while sitting in the superior court	2,000 00
	Total	\$8,750 00
	Judicial Council:	
0303-01	For expenses of the judicial council, as authorized by section thirty-four C of chapter two hundred and twenty-one of the General Laws, to be in addition to any amount heretofore appropriated for the purpose	\$1,800 00
0303-02	For compensation of the secretary of the judicial council, as authorized by said section thirty-four C of said chapter two hundred and twenty-one	3,500 00
	Total	\$5,300 00
	Administrative Committee of District Courts:	
0304-01	For compensation and expenses of the administrative committee of district courts	\$4,500 00
	Probate and Insolvency Courts, as follows:	
0305-02	For the compensation of judges of probate when acting for other judges of probate	\$7,800 00

Item		
0305-03	For expenses of judges of probate when acting for other judges of probate	\$1,300 00
0305-06	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by existing laws	500 00
	For the salaries of judges of probate, registers of probate, assistant registers and clerical assistance to registers of the several counties:	
	Barnstable:	
0306-21	Judge of probate	\$6,000 00
0306-41	Register	3,600 00
0306-61	Assistant register	2,640 00
0306-81	Clerical assistance to register, including not more than three permanent positions	3,720 00
	Berkshire:	
0306-22	Judge of probate	6,000 00
0306-42	Register	4,000 00
0306-62	Assistant register	2,820 00
0306-82	Clerical assistance to register, including not more than four permanent positions	5,760 00
	Bristol:	
0306-23	Judge of probate	8,500 00
0306-43	Register	5,100 00
0306-63	Two assistant registers	6,720 00
0306-83	Clerical assistance to register, including not more than eleven permanent positions	15,660 00
	Dukes County:	
0306-24	Judge of probate	3,000 00
0306-44	Register	2,400 00
0306-84	Clerical assistance to register, including not more than one permanent position	1,260 00
	Essex:	
0306-25	Two judges of probate	17,000 00
0306-45	Register	5,700 00
0306-65	Three assistant registers	10,083 00
0306-85	Clerical assistance to register, including not more than sixteen permanent positions	23,170 00
	Franklin:	
0306-26	Judge of probate	6,000 00
0306-46	Register	3,600 00
0306-66	Assistant register	2,575 48
0306-86	Clerical assistance to register, including not more than two permanent positions	2,460 00
	Hampden:	
0306-27	Two judges of probate	17,000 00
0306-47	Register	5,700 00
0306-67	Two assistant registers	6,720 00
0306-87	Clerical assistance to register, including not more than eleven permanent positions	18,030 00
	Hampshire:	
0306-28	Judge of probate	6,000 00
0306-48	Register	3,600 00
0306-68	Assistant register	2,640 00
0306-88	Clerical assistance to register, including not more than two permanent positions	2,940 00

Item		
	Middlesex:	
0306-29	Two judges of probate	\$20,000 00
0306-49	Register	6,500 00
0306-69	Four assistant registers	16,980 00
0306-89	Clerical assistance to register, including not more than thirty-seven permanent positions	55,480 00
	Nantucket:	
0306-30	Judge of probate	3,000 00
0306-50	Register	2,400 00
0306-90	Clerical assistance to register	300 00
	Norfolk:	
0306-31	Judge of probate	10,000 00
0306-51	Register	5,100 00
0306-71	Two assistant registers	6,687 26
0306-91	Clerical assistance to register, including not more than fourteen permanent posi- tions	19,890 00
	Plymouth:	
0306-32	Judge of probate	6,000 00
0306-52	Register	4,000 00
0306-72	Assistant register	2,820 00
0306-92	Clerical assistance to register, including not more than five permanent positions	6,600 00
	Suffolk:	
0306-33	Three judges of probate	33,000 00
0306-53	Register	6,500 00
0306-73	Four assistant registers	16,260 64
0306-93	Clerical assistance to register, including not more than forty-six permanent positions	66,840 00
	Worcester:	
0306-34	Two judges of probate	17,000 00
0306-54	Register	5,700 00
0306-74	Two assistant registers	7,560 00
0306-94	Clerical assistance to register, including not more than fourteen permanent positions	19,920 00
	Total	\$558,536 38
	Administrative Committee of Probate Courts:	
0307-01	For expenses of the administrative commit- tee of probate courts	\$200 00
	<i>Service of the Land Court.</i>	
0308-01	For the salaries of the judge, associate judges, the recorder and court officer, including not more than five permanent positions	\$38,984 00
0308-02	For engineering, clerical and other personal services, including not more than twenty- five permanent positions	67,200 00
0308-03	For personal services in the examination of titles, for publishing and serving citations and other services, traveling expenses, sup- plies and office equipment, and for the preparation of sectional plans showing registered land	20,600 00
	Total	\$126,784 00

Pensions for Certain Retired Justices.

Item		
0309-01	For pensions of retired justices of the supreme judicial court and of the superior court, and judges of the probate courts and the land court	\$60,000 00

Service of the District Attorneys.

District Attorneys, as follows:

0310-01	For the salaries of the district attorney and assistants for the Suffolk district, including not more than fourteen permanent positions	\$66,000 00
0310-02	For the salaries of the district attorney and assistants for the northern district, including not more than seven permanent positions	32,000 00
0310-03	For the salaries of the district attorney and assistants for the eastern district, including not more than five permanent positions	17,400 00
0310-04	For the salaries of the district attorney, deputy district attorney and assistants for the southeastern district, including not more than five permanent positions	19,200 00
0310-05	For the salaries of the district attorney and assistants for the southern district, including not more than four permanent positions	15,100 00
0310-06	For the salaries of the district attorney and assistants for the middle district, including not more than four permanent positions	15,000 00
0310-07	For the salaries of the district attorney and assistants for the western district, including not more than three permanent positions	10,400 00
0310-08	For the salary of the district attorney for the northwestern district	4,000 00
0310-09	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, including expenses incurred in previous years	5,000 00
Total		\$184,100 00

Service of the Board of Probation.

0311-01	For personal services of the commissioner, clerks and stenographers, including not more than forty-three permanent positions	\$77,500 00
0311-02	For services other than personal, including printing the annual report, traveling expenses, rent, office supplies and equipment	7,700 00
Total		\$85,200 00

Service of the Board of Bar Examiners.

0312-01	For personal services of the members of the board, including not more than five permanent positions	\$12,500 00
0312-02	For other services, including not more than one permanent position, and including printing the annual report, traveling expenses, office supplies and equipment	6,000 00
Total		\$18,500 00

Suffolk County Court House.

Item		
0318-01	For reimbursing the city of Boston for thirty per cent of the cost of maintenance of the Suffolk County court house, as provided by and subject to the conditions of section six of chapter four hundred and seventy-four of the acts of the year nineteen hundred and thirty-five to be in addition to any amount heretofore appropriated for the purpose; provided, that this appropriation shall not be construed as fixing the specific amount for which the commonwealth shall be liable on account of said maintenance	\$110,000 00

Service of the Executive Department.

0401-01	For the salary of the governor	\$10,000 00
0401-02	For the salary of the lieutenant governor	4,000 00
0401-03	For the salaries of the eight councillors	16,000 00
0401-04	For the salaries of officers and employees of the department, including not more than sixteen permanent positions	53,400 00
0401-05	For certain personal services for the lieutenant governor and council, including not more than three permanent positions	5,700 00
0401-21	For travel and expenses of the lieutenant governor and council from and to their homes	3,000 00
0401-22	For postage, printing, office and other contingent expenses, including travel, of the governor	15,000 00
0401-23	For postage, printing, stationery, traveling and contingent expenses of the governor and council	3,000 00
0401-24	For the cost of entertainment of distinguished visitors to the commonwealth and for the payment of other extraordinary expenses not otherwise provided for	20,000 00
Total		\$130,100 00

Specials:

0401-38	(This item omitted.)	
0401-60	To provide for unforeseen emergency expenditures, the sum of one hundred thousand dollars is hereby appropriated, to be expended under the direction of the governor, with the approval of the council. Requests for any such expenditures shall be referred by the governor to the commission on administration and finance, which, after investigation of the need of such expenditure shall forthwith submit to the governor its written recommendation of the amount of funds required, together with pertinent facts relative thereto. No further allocations or transfers may be authorized hereunder after January second, nineteen hundred and forty seven. Persons whose employment is created by reason of money herein appropriated shall not be subject to civil service laws or the rules and regulations made thereunder, but their employment and salary rates shall be subject to the rules and regulations of the division of personnel and standardization	\$100,000 00

Service of the Adjutant General.

Item		
0402-01	For the salary of the adjutant general . . .	\$6,000 00
0402-02	For personal services of office assistants, including services for the preparation of records of Massachusetts soldiers and sailors, and including not more than eighteen permanent positions . . .	42,500 00
0402-03	For services other than personal, and for necessary office supplies and expenses . .	7,000 00
0402-04	For expenses not otherwise provided for in connection with military matters and accounts	4,000 00
	Total	<hr/> \$59,500 00

Specials:

0402-21	For personal services and other expenses in connection with the operation of the war records project, so called	\$20,725 00
0402-22	For personal services and other expenses in connection with the operation of the Massachusetts women's defense corps, so called	8,900 00
0402-23	(This item omitted.)	
	Total	<hr/> \$29,625 00

Service of the Organized Militia.

0403-01	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general . . .	\$100,000 00
0403-03	For certain allowances for officers of the organized militia, as authorized by paragraph (c) of section one hundred and twenty of chapter thirty-three of the General Laws . .	50,000 00
0403-05	For expenses of military training and instruction, and for pay and expenses of certain camps of instruction, to be in addition to any amounts heretofore appropriated for these purposes	100,000 00
0403-07	For transportation of officers and non-commissioned officers to and from military meetings and regimental and battalion drills	3,500 00
0403-13	For compensation for special and miscellaneous duty and for expenses of operation of the second division of the state guard; provided, that from the amount herein appropriated not more than fourteen thousand seven hundred and fifty dollars and thirty cents shall be expended for the salaries of full-time positions	20,000 00
0403-14	For compensation for accidents and injuries sustained in the performance of military duty	4,000 00
0403-15	To cover certain small claims for damages to private property arising from military maneuvers	300 00
0403-17	For services and expenses of the military reservation located in Barnstable County, including compensation of one commissioner	2,700 00
0403-18	For premiums on bonds for officers	2,200 00

Item		
0403-23	For personal services necessary for the operation of the commonwealth depot and motor repair park, including not more than fifteen permanent positions	\$31,000 00
	Total	\$313,700 00

Service of the State Quartermaster.

0405-01	For personal services of the state quartermaster, superintendent of arsenal and certain other employees of the state quartermaster, including not more than eight permanent positions	\$17,200 00
0405-02	For the salaries of armorers and assistant armorers of armories of the first class, superintendent of armories, and other employees, including not more than eighty-one permanent positions	148,500 00
0406-02	For office and general supplies and equipment	15,000 00
0406-03	For the care and maintenance of the state camp ground and buildings at Framingham	350 00
0406-04	For the operating expenses of armories of the first class, including heat and light, but not including repairs	85,000 00
0406-05	For reimbursement for rent and maintenance of armories not of the first class, up to and including June thirtieth, nineteen hundred and forty-seven	17,500 00
0406-06	For expenses of maintaining and operating the Camp Curtis Guild rifle range, including not more than five permanent positions	13,000 00
0406-07	For maintenance, other than personal services, of the commonwealth depot and motor repair park	1,000 00
0406-08	For miscellaneous repair and renewal projects at armories of the first class	60,000 00
	Total	\$357,550 00

Service of the State Surgeon.

0407-01	For personal services of the state surgeon, and regular assistants, including not more than three permanent positions	\$5,340 00
0407-02	For services other than personal, and for necessary medical and office supplies and equipment	1,500 00
0407-03	For the examination of recruits	5,000 00
	Total	\$11,840 00

Service of the State Judge Advocate.

0408-01	For compensation of the state judge advocate	\$1,500 00
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Service of the Armory Commission.

0409-01	For compensation of one member	\$200 00
0409-02	For office, incidental and traveling expenses	100 00
	Total	\$300 00

Service of the Commission on Administration and Finance.

Item		
0414-01	For personal services of the commissioners, including not more than four permanent positions	\$26,500 00
0414-02	For personal services of the office of the chairman, including not more than eight permanent positions, to be in addition to the amount authorized for the purpose in item 2970-09	21,160 00
0414-03	For personal services of the bureau of the comptroller, including not more than ninety-one permanent positions, to be in addition to the amount authorized for the purpose in item 2970-09	132,540 00
0414-04	For personal services of the bureau of the budget commissioner, including not more than nine permanent positions, to be in addition to the amount authorized for the purpose in item 2970-09	21,980 00
0414-05	For personal services of the bureau of the purchasing agent, including not more than fifty-three permanent positions, to be in addition to the amount authorized for the purpose in item 2970-09	91,340 00
0414-06	For personal services of the division of personnel and standardization, including not more than twenty-nine permanent positions, to be in addition to the amount authorized for the purpose in item 2970-09	48,260 00
0414-09	For other expenses incidental to the duties of the commission	55,000 00
	Total	\$396,780 00
	Telephone service:	
0414-10	For telephone service in the state house and expenses in connection therewith	\$50,000 00
	Purchase of paper:	
0414-11	For the purchase of paper used in the execution of the contracts for state printing, other than legislative, with the approval of the commission on administration and finance	\$40,000 00
	Central mailing room:	
0414-12	For personal services of the central mailing room, including not more than eight permanent positions	\$17,000 00
	Personnel Appeal Boards:	
0414-31	For personal services and expenses of personnel appeal boards, as authorized by chapter four hundred and eighty-five of the acts of nineteen hundred and forty-five (Items 0415-01 to 0415-31, inclusive, are included in Items 0414-01 to 0414-31, inclusive.)	\$2,000 00

Service of the State Superintendent of Buildings.

0416-01	For personal services of the superintendent and office assistants, including not more than five permanent positions	\$13,020 00
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Item		
0416-02	For personal services of engineers, assistant engineers, firemen and helpers in the engineer's department, including not more than forty permanent positions	\$72,640 00
0416-03	For personal services of capitol police, including not more than twenty-seven permanent positions	50,680 00
0416-04	For personal services of janitors, including not more than twenty-three permanent positions	32,780 00
0416-05	For other personal services incidental to the care and maintenance of the state house and of the Ford building, so called, including not more than seventy-nine permanent positions	95,000 00
Total		\$264,120 00
Other annual expenses:		
0416-11	For contingent, office and other expenses of the superintendent	\$310 00
0416-13	For services, supplies and equipment necessary to furnish heat, light and power	92,000 00
0416-14	For other services, supplies and equipment necessary for the maintenance and care of the state house and grounds and of the Ford building, so called, including repairs of furniture and equipment	44,200 00
Total		\$136,510 00
<i>Service of the State Planning Board.</i>		
0419-01	For personal services of secretary, chief engineer, and other assistants, including not more than thirteen permanent positions	\$42,000 00
0419-02	For services other than personal, including rent of offices, travel, and office supplies and equipment	9,500 00
Total		\$51,500 00
<i>Service of the Commissioners on Uniform State Laws.</i>		
0420-01	For expenses of the commissioners	\$750 00
<i>Service of the State Library.</i>		
0423-01	For personal services of the librarian	\$5,700 00
0423-02	For personal services of the regular library assistants, temporary clerical assistance, and for services for cataloguing, including not more than twenty-seven permanent positions	47,620 00
0423-03	For services other than personal, including printing the annual report, office supplies and equipment, and incidental traveling expenses	6,500 00
0423-04	For books and other publications needed for the library, including necessary binding and rebinding incidental thereto; provided, that contracts or orders for such work shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws	9,000 00
Total		\$68,820 00

Service of the Art Commission.

Item		
0424-01	For expenses of the commission	\$75 00
0424-23	For restoring and protecting certain portraits in the state house	1,435 00
0424-24	For the cleaning and repairing of certain statues and other memorials on the state house grounds	1,225 00
	Total	<hr/> \$2,735 00

Service of the Ballot Law Commission.

0425-01	For compensation of the commissioners, including not more than three permanent positions	\$2,250 00
0425-02	For expenses, including travel, supplies and equipment	600 00
	Total	<hr/> \$2,850 00

Service of the Soldiers' Home in Massachusetts.

0430-00	For the maintenance of the Soldiers' Home in Massachusetts, with the approval of the trustees thereof, including not more than two hundred and twenty-eight permanent positions, to be in addition to certain receipts from the United States government	\$410,800 00
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Service of the Commissioner of Veterans' Services.

0440-01	For personal services of the commissioner and deputies, including not more than three permanent positions	\$13,060 00
0440-02	For personal services of agents, clerks, stenographers, and other assistants, including not more than thirty-one permanent positions	51,500 00
0440-03	For services other than personal, including printing the annual report, traveling expenses of the commissioner and his employees, and necessary office supplies and equipment	10,000 00
	Total	<hr/> \$74,560 00

Advisory Council:

0440-21	For personal services and other expenses in connection with the work of the veterans' service advisory council, as authorized by chapter seven hundred and thirty of the acts of nineteen hundred and forty-five	\$45,800 00
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For Expenses on Account of Wars.

0441-01	For reimbursing cities and towns for money paid on account of state and military aid to Massachusetts soldiers and their families, to be paid on or before the fifteenth day of November, nineteen hundred and forty-six, in accordance with the provisions of existing laws relative to state and military aid other than chapter eleven of the acts of the Special Session of nineteen hundred and forty-two	\$272,629 09
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Item		
0441-02	For certain care of veterans of the civil war, their wives and widows, as authorized by section twenty-five of chapter one hundred and fifteen of the General Laws . . .	\$15,000 00
0441-11	For reimbursing cities and towns for money paid on account of war allowance, state and military aid and soldiers' relief to certain residents of the commonwealth and their dependents, as authorized by chapter eleven of the acts of the Special Session of nineteen hundred and forty-two . . .	283,030 34
	Total	\$570,659 43

Service of the Massachusetts Aeronautics Commission.

0442-01	For personal services of employees, including not more than five permanent positions, and for administrative expenses, including consultants' services, office rent and other incidental expenses	\$45,000 00
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For the Maintenance of the Mount Greylock War Memorial.

0443-01	For expenses of maintenance of the Mount Greylock War Memorial, as authorized by section forty-seven of chapter six of the General Laws	\$1,200 00
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For the Maintenance of the Old State House.

0444-01	For the contribution of the commonwealth toward the maintenance of the old provincial state house	\$1,500 00
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Service of the Secretary of the Commonwealth.

0501-01	For the salary of the secretary	\$7,000 00
0501-02	For the salaries of officers and employees holding positions established by law, and other personal services, including not more than sixty-five permanent positions	132,000 00
0501-03	For services other than personal, traveling expenses, office supplies and equipment, for the arrangement and preservation of state records and papers, including traveling expenses of the supervisor of public records	25,000 00
0501-04	For postage and expressage on public documents, and for mailing copies of bills and resolves to certain state, city and town officials	2,000 00
0501-05	For printing registration books, blanks and indexes	2,200 00
0501-06	For the preparation of certain indexes of births, marriages and deaths	9,000 00
0501-08	For the purchase of ink for public records of the commonwealth	1,000 00
	Total	\$178,200 00

Specials:

0502-01	For the purchase of certain supplies and equipment, and for other things necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives"	\$3,500 00
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Item		
0502-02	For the purchase and distribution of copies of certain journals of the house of representatives of Massachusetts Bay from seventeen hundred and fifteen to seventeen hundred and eighty, inclusive, as authorized by chapter four hundred and thirteen of the acts of nineteen hundred and twenty	\$750 00
	Total	<hr/> \$4,250 00
	For printing laws, etc.:	
0503-01	For printing and distributing the pamphlet edition and for printing and binding the blue book edition of the acts and resolves of the year nineteen hundred and forty-seven, and any unexpended balance of the appropriation made for this purpose in any fiscal year shall be available for expenditure in the succeeding fiscal year	\$21,500 00
0503-02	For the printing of reports of decisions of the supreme judicial court, to be in addition to any amount heretofore appropriated for the purpose	8,000 00
0503-03	For printing and binding public documents	2,700 00
	Total	<hr/> \$32,200 00
	For matters relating to elections:	
0504-01	For personal and other services in preparing for primary elections, including not more than one permanent position, and for the expenses of preparing, printing and distributing ballots for primary and other elections, to be in addition to any amount heretofore appropriated for the purpose	\$144,000 00
0504-02	For the printing of blanks for town officers, election laws and blanks and instructions on all matters relating to elections	3,000 00
0504-03	For furnishing cities and towns with ballot boxes, and for repairs to the same; for the purchase of apparatus to be used at polling places in the canvass and counting of votes; and for providing certain registration facilities	2,000 00
0504-04	For expenses of publication of lists of candidates and forms of questions before state elections	18,500 00
0504-07	For expenses of compiling and publishing information to voters, as required by section fifty-three of chapter fifty-four of the General Laws	45,000 00
	Total	<hr/> \$212,500 00
	Medical Examiners' Fees:	
0505-01	For medical examiners' fees, as provided by law	\$1,500 00
	Commission on Interstate Co-operation:	
0506-01	For personal and other services of the commission, including travel and other expenses, as authorized by sections twenty-one to twenty-five, inclusive, of chapter nine of the General Laws, including not more than two permanent positions	\$16,000 00

Service of the Treasurer and Receiver-General.

Item		
0601-01	For the salary of the treasurer and receiver-general	\$6,000 00
0601-02	For salaries of officers and employees holding positions established by law, and additional clerical and other assistance, including not more than thirty-nine permanent positions, to be in addition to the amount authorized for the purpose in item 2970-09	74,680 00
0601-03	For services other than personal, traveling expenses, office supplies and equipment	21,300 00
	Total	\$101,980 00
	Commissioners on Firemen's Relief:	
0602-01	For relief disbursed, with the approval of the commissioners on firemen's relief, subject to the provisions of law	\$15,000 00
0602-02	For expenses of administration by the commissioners on firemen's relief	300 00
	Total	\$15,300 00
	Payments to Soldiers:	
0603-01	For making payments to soldiers in recognition of service during the world war and the Spanish war, as provided by law	\$1,000 00
	State Board of Retirement:	
0604-01	For personal services in the administrative office of the state board of retirement, including not more than twelve permanent positions	\$19,830 00
0604-02	For services other than personal, printing the annual report, and for office supplies and equipment	1,425 00
0604-03	For the payment of the commonwealth's share in financing the state employees' retirement system, as provided by chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five, to be in addition to the amount appropriated in item 2970-01	664,000 00
0604-04	(This item combined with item 0604-03.)	
0604-05	To assist in meeting the liability of the commonwealth to pay contributions to the state employees' retirement system on account of members thereof in the military or naval service, as authorized by chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended, to be in addition to any amount heretofore appropriated for the purpose	150,000 00
	Total	\$835,255 00

Service of the Emergency Finance Board.

0605-01	For administrative expenses of the emergency finance board, including not more than eight permanent positions	\$14,380 00
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Service of the State Emergency Public Works Commission.

Item		
0606-01	For personal services and other expenses of the state emergency public works commission, including not more than six permanent positions	\$30,440 00

Service of the Auditor of the Commonwealth.

0701-01	For the salary of the auditor	\$6,000 00
0701-02	For personal services of deputies and other assistants, including not more than thirty-three permanent positions, to be in addition to the amount authorized for this purpose in item 2970-09	70,060 00
0701-03	For services other than personal, traveling expenses, office supplies and equipment	9,000 00
Total		\$85,060 00

Service of the Attorney General's Department.

0801-01	For the salary of the attorney general	\$8,000 00
0801-02	For the compensation of assistants in his office, and for such other legal and personal services as may be required, including not more than thirty-seven permanent positions	135,480 00
0801-03	For services other than personal, traveling expenses, office supplies and equipment	12,000 00
0802-01	For the settlement of certain claims, as provided by law, on account of damages by cars owned by the commonwealth and operated by state employees	8,000 00
0802-02	For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws	4,000 00
Total		\$167,480 00

Special:

0803-06	For the cost of providing certain legal assistance for the benefit of veterans, their wives and dependents	\$20,000 00
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Service of the Department of Agriculture.

0901-01	For the salary of the commissioner	\$6,000 00
0901-02	For personal services of clerks and stenographers, including not more than twenty-one permanent positions	34,860 00
0901-03	For traveling expenses of the commissioner	1,000 00
0901-04	For services other than personal, printing the annual report, office supplies and equipment, and printing and furnishing trespass posters	12,000 00
0901-11	For compensation and expenses of members of the advisory board	1,200 00
0901-21	For services and expenses of apiary inspection, including not more than one permanent position	5,000 00
0901-22	For personal services and other expenses of a program of soil conservation, as authorized by chapter five hundred and thirty-one of the acts of nineteen hundred and	

Item		
	forty-five; provided, that no compensation or expenses of the supervisors referred to in said chapter shall be chargeable to this item	\$2,555 00
	Total	\$62,615 00
	Division of Dairying and Animal Husbandry:	
0905-01	For personal services, including not more than seven permanent positions	\$17,100 00
0905-02	For other expenses, including the enforcement of the dairy laws of the commonwealth	6,800 00
0905-03	For administering the law relative to the inspection of barns and dairies by the department of agriculture, including not more than eleven permanent positions	36,200 00
	Total	\$60,100 00
	Milk Control Board:	
0906-01	For personal services of members of the board and their employees, including not more than seventy-two permanent positions	\$146,920 00
0906-02	For other administrative expenses of the board, including office expenses, rent, travel and special services	51,500 00
	Total	\$198,420 00
0906-21	(This item postponed.)	
	Division of Livestock Disease Control:	
0907-01	For the salary of the director	\$3,900 00
0907-02	For personal services of clerks and stenographers, including not more than eighteen permanent positions	26,940 00
0907-03	For services other than personal, including printing the annual report, traveling expenses of the director, office supplies and equipment, and rent	8,400 00
0907-04	For personal services of veterinarians and agents engaged in the work of extermination of contagious diseases among domestic animals, including not more than twelve full-time permanent positions and not more than one hundred and fifteen permanent intermittent positions	54,000 00
0907-05	For traveling expenses of veterinarians and agents	8,000 00
0907-06	For reimbursement of owners of horses killed during the year nineteen hundred and forty-seven and previous years, travel, when allowed, of inspectors of animals, incidental expenses of killing and burial, quarantine and emergency services, and for laboratory and veterinary supplies and equipment	3,400 00
0907-07	For reimbursement of owners of tubercular cattle killed, as authorized by section twelve A of chapter one hundred and twenty-nine of the General Laws, and in accordance with certain provisions of law	

Item		
	and agreements made under authority of section thirty-three of said chapter one hundred and twenty-nine during the year nineteen hundred and forty-seven and the previous year, to be in addition to any amount heretofore appropriated for the purpose	\$15,000 00
	Total	\$119,640 00
	Reimbursement of towns for inspectors of animals:	
0907-08	For the reimbursement of certain towns for compensation paid to inspectors of animals	\$4,000 00
	Division of Markets:	
0908-01	For personal services, including not more than thirteen permanent positions . . .	\$33,000 00
0908-02	For other expenses	10,000 00
	Total	\$43,000 00
	Division of Plant Pest Control and Fairs:	
0909-01	For personal services, including not more than three permanent positions . . .	\$9,680 00
0909-02	For travel and other expenses	5,900 00
0909-11	For work in protecting the pine trees of the commonwealth from white pine blister rust, and for payments of claims on account of currant and gooseberry bushes destroyed in the work of suppressing white pine blister rust	5,500 00
0909-12	For quarantine and other expenses in connection with the work of suppression of the European corn borer, so called, including such expenses incurred in previous years .	1,500 00
0909-13	For quarantine and other expenses in connection with the work of suppression of the Japanese beetle, so called	1,750 00
0909-14	For personal services and expenses in connection with the work of suppression of the Dutch elm disease, so called	4,000 00
0909-21	For state prizes and agricultural exhibits including allotment of funds for the 4-H club activities	25,000 00
	Total	\$53,330 00
	State Reclamation Board:	
0910-01	For expenses of the board, including not more than four permanent positions	\$10,000 00
	<i>Service of the Department of Conservation.</i>	
1001-01	For the salary of the commissioner	\$6,000 00
1001-02	For traveling expenses of the commissioner .	500 00
1001-03	For services other than personal, including printing, supplies and equipment, and rent	6,500 00
1001-04	For clerical and other assistance to the commissioner, including not more than twelve permanent positions	34,840 00
	Total	\$47,840 00

Item		
Division of Forestry:		
1002-01	For personal services of the director and office assistants, including not more than five permanent positions	\$11,360 00
1002-02	For services other than personal, including printing the annual report, and for traveling expenses, necessary office supplies and equipment, and rent	3,000 00
1002-11	For aiding towns in the purchase of equipment for extinguishing forest fires, and for making protective belts or zones as a defence against forest fires, for the year nineteen hundred and forty-seven and for previous years	1,000 00
1002-12	For personal services of the state fire warden and his assistants, and for other services, including traveling expenses of the state fire warden and his assistants, necessary supplies and equipment and materials used in new construction in the forest fire prevention service, including not more than sixteen permanent positions	75,000 00
1002-14	For the expenses of forest fire patrol, as authorized by section twenty-eight A of chapter forty-eight of the General Laws	9,000 00
1002-15	For reimbursement to certain towns, as authorized by section twenty-four of said chapter forty-eight	1,000 00
1002-18	For personal services and expenses, including not more than two permanent positions, in connection with establishing forest cutting practices, as authorized by chapter five hundred and thirty-nine of the acts of nineteen hundred and forty-three	5,900 00
1002-21	For the development of state forests, including not more than twenty permanent positions, and including salaries and expenses of foresters and the cost of maintenance of such nurseries as may be necessary for the growing of seedlings for the planting of state forests, as authorized by sections one, six, nine and thirty to thirty-six, inclusive, of chapter one hundred and thirty-two of the General Laws, to be in addition to any amount heretofore appropriated for this purpose	129,000 00
1002-31	For personal services, including not more than seven permanent positions, and for other expenses incidental to the suppression of insect pests and shade tree diseases, including gypsy and brown tail moths, Japanese beetles and Dutch elm disease, so called, and for reimbursement to cities and towns of a proportion of their expenses for such work, as provided by law	75,000 00
Total		<u>\$310,260 00</u>

Division of Fisheries and Game, Enforcement of Laws:

1004-11	For personal services of conservation officers, including not more than thirty-seven permanent positions, partly chargeable to item 3304-11	\$35,985 00
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Item		
1004-12	For traveling expenses of conservation officers, and for other expenses necessary for the enforcement of the laws, to be in addition to the amount appropriated in item 3304-12	\$12,500 00
	Total	\$48,485 00
	Division of Marine Fisheries:	
1004-70	For the salary of the director	\$5,000 00
1004-71	For personal services, including not more than seven permanent positions, and including personal services required in connection with the activities provided for under items 1004-84 and 1004-85	17,500 00
1004-72	For services other than personal, traveling expenses, necessary office supplies and equipment, and rent, and including other expenses required in connection with the activities provided for under items 1004-84 and 1004-85.	6,000 00
	Enforcement of shellfish and other marine fishery laws:	
1004-81	For personal services for the administration and enforcement of laws relative to shellfish and other marine fisheries, and for regulating the sale and cold storage of fresh food fish, including not more than sixteen permanent positions	42,895 00
1004-82	For other expenses of the administration and enforcement of laws relative to shellfish and other marine fisheries and for regulating the sale and cold storage of fresh food fish	10,300 00
1004-83	For expenses of purchasing lobsters, subject to the conditions imposed by section forty-three of chapter one hundred and thirty of the General Laws; provided, that the price paid for such lobsters shall not exceed the prevailing wholesale price for such lobsters in the district where purchased	1,000 00
1004-84	For the payment to certain coastal cities and towns of a part of the cost of projects for the propagation of shellfish authorized by section twenty of chapter one hundred and thirty of the General Laws; provided, that the expenditure by said cities and towns of funds herein provided shall not be subject to appropriation as required by section fifty-three of chapter forty-four of the General Laws	10,000 00
1004-85	For the payment to certain coastal cities and towns of a part of the cost of projects for the suppression of enemies of shellfish authorized by section twenty of chapter one hundred and thirty of the General Laws; provided, that the expenditure by said cities and towns of funds herein provided shall not be subject to appropriation as required by section fifty-three of chapter forty-four of the General Laws	5,000 00
	Total	\$97,695 00

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Specials:		
1004-86	For the establishment of a plant for the propagation and rearing of lobsters, as authorized by section forty-two of chapter one hundred and thirty of the General Laws, in the town of Oak Bluffs upon certain land donated by said town for the purpose, including the cost of construction, supplies and equipment, and for the maintenance of said plant including personal services and other expenses	\$26,500 00
1004-87	For the cost of construction and improvement of certain fishways	5,000 00
1004-88	For the purchase of a boat	8,000 00
1004-89	For the establishment of a shellfish purification plant in or in the vicinity of Boston, including the purchase of land, the cost of construction, supplies and equipment, and for the maintenance of said plant including personal services and other expenses; provided, that a reasonable charge shall be made by the division for the use of the facilities of said plant notwithstanding any other provision of law	20,000 00
1004-90	For services and expenses of the Atlantic States Marine Fisheries Commission, as authorized by chapter four hundred and eighty-nine of the acts of nineteen hundred and forty-one	4,400 00
Total		\$61,900 00
Bounty on seals:		
1004-91	For bounties on seals	\$400 00
<i>Service of the Department of Banking and Insurance.</i>		
Division of Banks:		
1101-01	For the salary of the commissioner	\$7,500 00
1101-02	For services of deputy, directors, examiners and assistants, clerks, stenographers and experts, including not more than one hundred and forty-two permanent positions	370,000 00
1101-03	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment	66,300 00
Total		\$443,800 00
Supervisor of Loan Agencies:		
1102-01	For personal services of supervisor and assistants, including not more than seven permanent positions	\$14,810 00
1102-02	For services other than personal, printing the annual report, office supplies and equipment	1,000 00
Total		\$15,810 00
Division of Insurance:		
1103-01	For the salary of the commissioner	\$7,500 00
1103-02	For other personal services of the division, including expenses of the board of appeal and certain other costs of supervising motor	

Item		
	vehicle liability insurance, and including not more than one hundred and ninety permanent positions, partly chargeable to item 2970-02	\$318,600 00
1103-03	For other expenses, including printing the annual report, travel expenses, rent of offices and the purchase of necessary office supplies and equipment; provided, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section 1 of chapter 5 of the General Laws	95,000 00
	Total	\$421,100 00
1104-01	Board of Appeal on Fire Insurance Rates: For expenses of the board	\$100 00
1105-01	Division of Savings Bank Life Insurance: For personal services of officers and employees, including not more than thirty-two permanent positions	\$57,600 00
1105-02	For services other than personal, printing the annual report, traveling expenses, rent and equipment	18,000 00
	Total	\$75,600 00

Service of the Department of Corporations and Taxation.

1201-01	For the salary of the commissioner	\$8,500 00
1201-02	For personal services of the corporations and tax divisions, the division of field investigation and temporary taxes, the administration of an excise on meals and the income tax division, including certain positions filled by the commissioner with the approval of the governor and council, and additional clerical and other assistants, totalling not more than four hundred and ninety-four permanent positions, partly chargeable to item 2970-03, the sum of nine hundred thirty-eight thousand nine hundred and sixty dollars is hereby appropriated from the General Fund; and it is hereby provided that on or before the tenth day of the month of August nineteen hundred and forty-six, and of each month thereafter, the commissioner of corporations and taxation shall certify to the division of personnel and standardization, in such form and manner as said division shall prescribe, the proportions of the amount herein appropriated which are properly chargeable to the corporations and tax divisions, the division of field investigation and temporary taxes, the cost of administration of an excise on meals and the income tax division, respectively. It is hereby further provided that the comptroller shall transfer to the General Fund the sum of fifty thousand dollars from fees collected under section twenty-seven of	

Item		
	chapter one hundred and thirty-eight of the General Laws, the sum of fifty-eight thousand dollars from amounts collected under chapter sixty-four B of the General Laws and the sum of five hundred and eighty-five thousand dollars from the receipts from the income tax, which sums are hereby included in this appropriation .	\$938,960 00
1201-03	For other expenses of the corporations and tax divisions, including necessary office supplies and equipment, travel, and for printing the annual report, other publications and valuation books .	49,000 00
1201-05	(This item included in item 1202-22.)	
1201-11	(This item included in item 1201-02.)	
1201-12	For expenses other than personal services of the division of field investigation and temporary taxes .	15,000 00
1201-21	(This item included in item 1201-02.)	
1201-22	For expenses other than personal services for the administration of an excise on meals the sum of fifteen thousand dollars is hereby appropriated from the General Fund; provided, that a sum equivalent to the expenditures under this item shall be transferred to the General Fund from amounts collected under chapter sixty-four B of the General Laws .	15,000 00
1202-01	(This item included in item 1201-02.)	
1202-02	For services other than personal of the income tax division, including traveling expenses, office supplies and equipment and rent, the sum of two hundred thousand dollars is hereby appropriated from the General Fund; provided, that a sum equivalent to the expenditures from this item shall be transferred to the General Fund from receipts from the income tax .	200,000 00
	Total	\$1,226,460 00
	Reimbursement for loss of taxes:	
1202-22	For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the calendar year nineteen hundred and forty-six and for previous years, and for the reimbursement of certain towns as authorized by section seventeen B of chapter fifty-eight of the General Laws .	\$266,680 40
	Division of Accounts:	
1203-01	For personal services, including not more than one hundred and eleven permanent positions partly chargeable to item 1203-11 .	\$114,240 00
1203-02	For other expenses .	11,000 00
1203-11	For services and expenses of auditing and installing systems of municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done .	240,000 00
1203-12	For the expenses of certain books, forms and other material, which may be sold to cities and towns requiring the same for maintaining their system of accounts .	24,000 00

Item		
1203-21	For the administrative expenses of the county personnel board, including not more than five permanent positions . . .	\$7,885 00
	Total	\$397,125 00

Appellate Tax Board:

1204-01	For personal services of the members of the board and employees, including not more than twenty-seven permanent positions . .	\$93,650 00
1204-02	For services other than personal, traveling expenses, office supplies and equipment, and rent	30,000 00
	Total	\$123,650 00

Service of the Department of Education.

1301-01	For the salary of the commissioner . . .	\$9,000 00
1301-02	For personal services of officers, agents, clerks, stenographers and other assistants, including not more than fifty-four permanent positions	144,300 00
1301-03	For traveling expenses of members of the advisory board and of agents and employees when required to travel in discharge of their duties	6,000 00
1301-04	For services other than personal, necessary office supplies, and for printing the annual report and bulletins as provided by law . .	11,400 00
1301-06	For printing school registers and other school blanks for cities and towns	3,500 00
1301-07	For expenses of holding teachers' institutes . .	1,500 00
1301-08	For aid to certain pupils in state teachers' colleges, under the direction of the department of education	5,000 00
1301-09	For assistance to children of certain war veterans, for the year nineteen hundred and forty-seven and for previous years, as authorized by chapter two hundred and sixty-three of the acts of nineteen hundred and thirty, as amended	15,000 00
1301-10	For the maintenance and operation of the state building on Newbury street, Boston, including not more than four permanent positions	17,500 00
	Total	\$213,200 00

Specials (Newbury Street Building):

1301-13	For certain repairs to the roof of the state building on Newbury street, Boston, to be in addition to any amount heretofore appropriated for the purpose	\$1,000 00
1301-14	For certain painting at the state building on Newbury street, Boston, to be in addition to any amount heretofore appropriated for the purpose	1,500 00
1301-15	For the replacement of the fire escape at the state building on Newbury street, Boston . .	2,500 00
	Total	\$5,000 00

Item		
Specials:		
1301-22	For personal services and other expenses required in connection with furnishing certain educational services to certain war veterans, including the establishment and operation of regional education centers in the commonwealth.	\$239,165 00
1301-23	For personal services and other expenses of the educational committee on personal and religious liberties	10,000 00
1301-27	For personal services and expenses of a summer school to be conducted at Hyannis or elsewhere, with the approval of the commissioner of education	5,000 00
1301-28	For the cost of board, room and transportation of certain pupils formerly enrolled at the state teachers' college at Hyannis who have transferred to other state teachers' colleges.	2,750 00
Total		\$256,915 00
Division of Vocational Education:		
1301-30	For aid to certain persons receiving instruction in the courses for vocational rehabilitation, as authorized by section twenty-two B of chapter seventy-four of the General Laws	\$10,000 00
1301-31	For the training of teachers for vocational schools, to comply with the requirement of federal authorities under the provisions of the Smith-Hughes act, so called, including not more than twenty-one permanent positions	31,000 00
1301-32	For the expenses of promotion of vocational rehabilitation in co-operation with the federal government	71,500 00
Total		\$112,500 00
Education of deaf and blind pupils:		
1301-41	For the education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws	\$452,700 00
Reimbursement and aid:		
1301-51	For assisting small towns in providing themselves with school superintendents, as provided by law	\$ 95,000 00
1301-52	For the reimbursement of certain towns for the payment of tuition of pupils attending high schools outside the towns in which they reside, as provided by law	195,000 00
1301-53	For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law	190,000 00
1301-54	For the reimbursement of certain cities and towns for a part of the expenses of maintaining agricultural and industrial vocational schools, as provided by law	1,998,488 50
1301-55	For reimbursement of certain cities and towns for adult English-speaking classes	70,000 00
Total		\$2,548,488 50

Item		
University Extension Courses:		
1301-61	For personal services, including not more than forty-five permanent positions	\$160,000 00
1301-62	For other expenses	45,000 00
	Total	\$205,000 00
English-speaking classes for Adults:		
1301-64	For personal services of administration, including not more than two permanent positions	\$5,900 00
1301-65	For other expenses of administration	1,700 00
	Total	\$7,600 00
Division of Immigration and Americanization:		
1302-01	For personal services, including not more than nineteen permanent positions	\$38,510 00
1302-02	For other expenses	8,000 00
	Total	\$46,510 00
Division of Public Libraries:		
1303-01	For personal services of regular agents and other assistants, including not more than thirteen permanent positions	\$28,000 00
1303-02	For other expenses, including printing the annual report, traveling expenses and necessary office supplies	7,000 00
1303-03	For the purchase of books and other publications, and for the cost of binding and re-binding; provided, that contracts or orders for such work shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws	6,000 00
	Total	\$41,000 00
Division of the Blind:		
1304-01	For general administration, furnishing information, industrial and educational aid, and for carrying out certain provisions of the laws establishing said division, including not more than twenty-three permanent positions	\$56,000 00
1304-06	For instruction of the adult blind in their homes, including not more than fourteen permanent positions	20,800 00
1304-08	For aiding the adult blind, subject to the conditions provided by law, including the cost of certain medical assistance and supplies	375,000 00
1304-10	For expenses of administering and operating the services of piano tuning and mattress renovating under section twenty-five of chapter sixty-nine of the General Laws	27,500 00
1304-11	For personal services and other expenses in connection with the operation of local shops, including not more than eight permanent positions, but excluding the purchase of merchandise and payments to blind employees	24,500 00
1304-12	For the purchase of merchandise and payments to blind employees in connection with the operation of local shops	55,650 00

Item		
1304-13	For personal services and other expenses in connection with the operation of the Woolson House industries, including not more than two permanent positions, but excluding the purchase of merchandise and payments to blind persons	\$8,483 00
1304-14	For the purchase of merchandise and payments to blind employees in connection with the Woolson House industries	44,875 00
1304-15	For the operation of the salesroom and other expenses in connection with the sale of materials made by blind persons, including not more than two permanent positions	25,000 00
1304-16	For personal services and other expenses in connection with the operation of certain industries for men, including not more than six permanent positions, but excluding the purchase of merchandise and payments to blind persons	23,000 00
1304-17	For the purchase of merchandise and payments to blind employees in connection with certain industries for men	165,000 00
Total		<u>\$825,808 00</u>
Reimbursement:		
1304-27	For expenses of providing sight-saving classes, with the approval of said division	\$20,125 00
Special:		
1304-28	For expenses of promotion of vocational rehabilitation in co-operation with the federal government	\$7,500 00
Teachers' Retirement Board:		
1305-01	For personal services of employees, including not more than seventeen permanent positions	\$25,580 00
1305-02	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, and rent	8,000 00
1305-03	(This item included in item 1305-08.)	
1305-06	For the payment of retirement assessments of teachers formerly in military or naval service, as authorized by section nine of chapter seven hundred and eight of the acts of nineteen hundred and forty-one, as amended	10,000 00
1305-08	For the payment of the commonwealth's share in financing the teachers' retirement system, as provided by chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five	2,500,000 00
Total		<u>\$2,543,580 00</u>
Reimbursement:		
1305-04	For reimbursement of certain cities and towns for pensions to retired teachers	\$453,508 49
Massachusetts Maritime Academy:		
1306-01	For personal services of the secretary and office assistants, including not more than three permanent positions	\$6,720 00

Item		
1306-02	For expenses other than regular clerical services, including printing the annual report, rent, office supplies and equipment . . .	\$2,750 00
1306-10	For the maintenance of the academy and ship, including not more than forty-four permanent positions, with the approval of the commissioner of education . . .	170,270 00
1306-25	For the purchase of certain waterfront land at Hyannis, with the approval of the commissioner of education . . .	8,500 00
1306-26	For the cost of installation of new wiring in the machine shop, so called, with the approval of the commissioner of education . . .	3,500 00
	Total	\$191,740 00

For the maintenance of and for certain improvements at the following state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education:

1307-00	State teachers' college at Bridgewater, including not more than sixty permanent positions . . .	\$167,810 00
1307-21	State teachers' college at Bridgewater, boarding hall, including not more than twenty-nine permanent positions . . .	67,000 00
1307-31	For repairing and resurfacing certain roads and walks at the state teachers' college at Bridgewater, to be in addition to any amount heretofore appropriated for the purpose . . .	2,000 00
1308-00	State teachers' college at Fitchburg, including not more than sixty permanent positions . . .	199,000 00
1308-21	State teachers' college at Fitchburg, boarding hall, including not more than nine permanent positions . . .	30,000 00
1308-36	For the purchase and installation of certain kitchen equipment, and for the cost of remodeling the kitchen in Palmer Hall, so called, at the state teachers' college at Fitchburg . . .	7,500 00
1308-37	For certain roofing repairs at the state teachers' college at Fitchburg . . .	5,000 00
1309-00	State teachers' college at Framingham, including not more than sixty-four permanent positions . . .	171,600 00
1309-21	State teachers' college at Framingham, boarding hall, including not more than twenty-five permanent positions . . .	55,800 00
1311-00	State teachers' college at Lowell, including not more than thirty-seven permanent positions . . .	85,700 00
1312-00	State teachers' college at North Adams, including not more than twenty-six permanent positions . . .	67,685 00
1312-21	State teachers' college at North Adams, boarding hall, including not more than one permanent position . . .	2,700 00
1312-31	For the repair of certain ceilings at the state teachers' college at North Adams . . .	2,000 00
1313-00	State teachers' college at Salem, including not more than fifty-one permanent positions . . .	130,364 00

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1314-00	State teachers' college at Westfield, including not more than thirty permanent positions	\$69,880 00
1314-21	State teachers' college at Westfield, boarding hall, including not more than one permanent position	1,870 00
1315-00	State teachers' college at Worcester, including not more than forty-one permanent positions	95,300 00
1321-00	Massachusetts School of Art, including not more than twenty-nine permanent positions	104,250 00
Total		<hr/> \$1,265,459 00

Textile Schools:

1331-00	For the maintenance of the Bradford Durfee textile school of Fall River, under its present or any future title, with the approval of the commissioner of education and the trustees, including not more than twenty-one permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Fall River as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and forty-six	\$88,675 00
1331-33	For the purchase and installation of certain machinery and equipment, including the cost of certain alterations to the power equipment in the machine shop at the Bradford Durfee textile school of Fall River, under its present or any future title, with the approval of the commissioner of education and the trustees	87,000 00
1331-34	(This item combined with item 1331-33.)	
1331-35	For certain repairs and additions at the Bradford Durfee textile school of Fall River, under its present or any future title, with the approval of the commissioner of education and the trustees	8,700 00
1332-00	For the maintenance of the Lowell textile institute, with the approval of the commissioner of education and the trustees, including not more than sixty-two permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Lowell as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and forty-six	203,770 00
1332-33	For the purchase and installation of certain machinery and equipment at the Lowell textile institute, with the approval of the commissioner and the trustees	80,000 00
1332-34	For certain interior repairing and painting at the Lowell textile institute, with the approval of the commissioner of education and the trustees	5,000 00
1332-35	For certain repairing and replacement of plumbing and steam lines at the Lowell textile institute, with the approval of the commissioner of education and the trustees	3,000 00

Item		
1333-00	For the maintenance of the New Bedford textile school, under its present or any future title, with the approval of the commissioner of education and the trustees, including not more than twenty-four permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of New Bedford as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and forty-six	\$78,045 00
1333-38	For the purchase and installation of certain machinery and equipment, including the cost of certain alterations to power equipment, and including the cost of modernizing the knitting department at the New Bedford textile school, with the approval of the commissioner of education and the trustees	150,000 00
Total		\$704,190 00

Massachusetts State College:		
1341-00	For maintenance and current expenses of the Massachusetts state college, with the approval of the trustees, including not more than five hundred and eighteen permanent positions	\$1,381,412 00
1341-01	For personal services and expenses of the summer session	7,000 00
1341-77	For personal services for the maintenance of the boarding hall, including not more than thirty-four permanent positions	50,060 00
1341-78	For other expenses of the maintenance of the boarding hall	115,000 00
1341-82	For aid to certain students, with the approval of the trustees	5,000 00
1341-83	For the cost of field and laboratory work in connection with the Dutch elm disease and other shade tree diseases and insects	8,000 00
1341-87	(This item omitted.)	
1341-92	For the annual cost of lease of dormitories, as authorized by chapter three hundred and eighty-eight of the acts of nineteen hundred and thirty-nine	30,000 00
1341-93	For payment of annual charges for sewage service by the town of Amherst	2,000 00
Total		\$1,598,472 00

Service of the Department of Civil Service and Registration.

Division of Civil Service:		
1402-01	For the salary of the director and for the compensation of members of the commission	\$12,500 00
1402-02	For other personal services of the division, including not more than one hundred and fifty-five permanent positions	220,000 00
1402-03	For other services and for printing the annual report, and for office supplies and equipment necessary for the administration of the civil service law	40,000 00
Total		\$272,500 00

Item		
Division of Registration:		
1403-01	For the salary of the director	\$2,400 00
1403-02	For clerical and certain other personal services of the division, including not more than thirty-nine permanent positions	79,000 00
1403-03	For services of the division other than personal, printing the annual reports, office supplies and equipment, except as otherwise provided	17,000 00
Total		\$98,400 00
Board of Registration in Medicine:		
1404-01	For personal services of the members of the board, including not more than seven permanent positions	\$6,300 00
1404-03	For traveling expenses	1,000 00
Total		\$7,300 00
Board of Dental Examiners:		
1405-01	For personal services of the members of the board, including not more than five permanent positions	\$3,800 00
1405-02	For traveling expenses	750 00
1405-03	For travel and other expenses necessary in providing for the enforcement of law relative to the registration of dentists	100 00
Total		\$4,650 00
Board of Registration in Chiropody:		
1406-01	For personal services of members of the board, including not more than five permanent positions	\$900 00
1406-02	For traveling expenses	300 00
Total		\$1,200 00
Board of Registration in Pharmacy:		
1407-01	For personal services of the members of the board, including not more than five permanent positions	\$4,300 00
1407-02	For personal services of agents and investigators, including not more than four permanent positions	9,840 00
1407-03	For traveling expenses	3,000 00
Total		\$17,140 00
Board of Registration of Nurses:		
1408-01	For personal services of the members of the board, and of the appointive members of the approving authority, including not more than ten permanent positions	\$3,570 00
1408-02	For traveling expenses	1,000 00
Total		\$4,570 00
Board of Registration in Embalming and Funeral Directing:		
1409-01	For personal services of members of the board, including not more than three permanent positions	\$1,500 00
1409-02	For traveling expenses	2,900 00

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1409-03	For the dissemination of useful knowledge among and for the benefit of licensed embalmers	\$100 00
	Total	\$4,500 00
Board of Registration in Optometry:		
1410-01	For personal services of members of the board, including not more than five permanent positions	\$1,900 00
1410-02	For traveling expenses	500 00
	Total	\$2,400 00
Board of Registration in Veterinary Medicine:		
1411-01	For personal services of members of the board, including not more than five permanent positions	\$600 00
1411-02	For other services, printing the annual report, traveling expenses, office supplies and equipment	750 00
	Total	\$1,350 00
Board of Registration of Professional Engineers and of Land Surveyors:		
1412-01	For travel and other necessary expenses	\$2,000 00
Board of Registration of Architects:		
1413-01	For personal services of members of the board, including not more than five permanent positions	\$2,500 00
1413-02	For travel and other necessary expenses	1,000 00
	Total	\$3,500 00
Board of Registration of Certified Public Accountants:		
1414-01	For personal services of members of the board, including not more than five permanent positions	\$675 00
1414-02	For expenses of examinations, including the preparation and marking of papers, and for other expenses	2,500 00
	Total	\$3,175 00
State Examiners of Electricians:		
1416-01	For personal services of members of the board, including not more than two permanent positions	\$1,000 00
1416-02	For traveling expenses	4,900 00
	Total	\$5,900 00
State Examiners of Plumbers:		
1417-01	For personal services of members of the board, including not more than three permanent positions	\$1,100 00
1417-02	For traveling expenses	2,250 00
	Total	\$3,350 00

Item		
Board of Registration of Barbers:		
1420-01	For personal services of members of the board and assistants, including not more than eight permanent positions	\$17,300 00
1420-02	For travel and other necessary expenses	7,000 00
Total		\$24,300 00
Board of Registration of Hairdressers:		
1421-01	For personal services of members of the board and assistants, including not more than eighteen permanent positions	\$33,230 00
1421-02	For travel and other necessary expenses, including rent	12,000 00
Total		\$45,230 00
<i>Service of the Department of Industrial Accidents.</i>		
1501-01	For personal services of members of the board, including not more than seven permanent positions	\$42,500 00
1501-02	For personal services of secretaries, inspectors, clerks and office assistants, including not more than one hundred and seventeen permanent positions	213,900 00
1501-03	For traveling expenses	8,000 00
1501-04	For other services, printing the annual report, necessary office supplies and equipment	19,000 00
1501-05	For expenses of impartial examinations, and for expenses of industrial disease referees, as authorized by section nine B of chapter one hundred and fifty-two of the General Laws, for the year nineteen hundred and forty-seven and the previous year	35,000 00
Total		\$318,400 00
Division of Self Insurance:		
1501-21	For personal services and other expenses of the division, as authorized by chapter sixty of the acts of nineteen hundred and forty-five, including not more than six permanent positions	\$14,860 00
<i>Service of the Department of Labor and Industries.</i>		
1601-01	For the salaries of the commissioner, assistant and associate commissioners, including not more than five permanent positions	\$27,500 00
1601-02	For clerical and other assistance to the commissioner, including not more than five permanent positions	9,120 00
1601-03	For personal services for the inspectional service, including not more than seventy-two permanent positions	165,340 00
1601-12	For traveling expenses of the commissioner, assistant and associate commissioners	500 00
1601-13	For services other than personal, excluding travel, for the administrative service, and for services other than personal, including travel, for the inspectional service	28,900 00
1601-31	For personal services for the division of occupational hygiene, including not more than ten permanent positions	21,160 00

Item		
1601-32	For services other than personal, traveling expenses, office and laboratory supplies and equipment, and rent, for the division of occupational hygiene	\$6,000 00
1601-41	For personal services for the statistical service, including not more than thirty-five permanent positions, and for services other than personal, printing report and publications, traveling expenses and office supplies and equipment for the statistical service	72,750 00
1601-51	For personal services for the division on necessities of life, including not more than five permanent positions	10,170 00
1601-52	For services other than personal, traveling expenses, office supplies and equipment for the division on necessities of life	1,500 00
1601-53	For personal services in administering sections two hundred and ninety-five A to two hundred and ninety-five O, inclusive, of chapter ninety-four of the General Laws, relating to the advertising and sale of motor fuel at retail, including not more than twelve permanent positions	24,360 00
1601-54	For other expenses in administering said sections two hundred and ninety-five A to two hundred and ninety-five O, inclusive	5,800 00
1601-61	For clerical and other assistance for the board of conciliation and arbitration, including not more than ten permanent positions	36,280 00
1601-62	For other services, printing, traveling expenses and office supplies and equipment for the board of conciliation and arbitration	6,000 00
1601-71	For personal services of investigators, clerks and stenographers for the minimum wage service, including not more than nineteen permanent positions	38,070 00
1601-72	For services other than personal, printing, traveling expenses and office supplies and equipment for minimum wage service	3,500 00
1601-73	For compensation and expenses of wage boards	2,000 00
1601-81	For personal services for the division of standards, including not more than seventeen permanent positions	35,040 00
1601-82	For other services, printing, traveling expenses and office supplies and equipment for the division of standards	8,500 00
Total		<u>\$502,470 00</u>

Massachusetts Development and Industrial Commission:

- 1603-01 (This item postponed.)
 1603-02 (This item postponed.)

Labor Relations Commission:

1604-01	For personal services of the commissioners and employees, including not more than twenty permanent positions	\$58,740 00
1604-02	For administrative expenses, including office rent	8,000 00
Total		<u>\$66,740 00</u>

Item		
Division of Apprentice Training:		
1605-01	For personal services of the members of the apprenticeship council and clerical and other assistants, as authorized by sections eleven E to eleven L, inclusive, of chapter twenty-three of the General Laws, including not more than eight permanent positions	\$18,600 00
1605-02	For other expenses, including travel, as authorized by sections eleven E to eleven L, inclusive, of chapter twenty-three of the General Laws	4,900 00
Total		\$23,500 00
<i>Service of the Department of Mental Health.</i>		
1701-01	For the salary of the commissioner	\$10,000 00
1701-02	For personal services of officers and employees, including not more than ninety-two permanent positions	195,780 00
1701-03	For transportation and medical examination of state charges under its charge for the year nineteen hundred and forty-seven and for previous years	4,000 00
1701-04	For other services, including printing the annual report, traveling expenses, office supplies and equipment, and rent	45,000 00
1701-11	For the support of state charges in the Hospital Cottages for Children	39,000 00
1701-12	For the cost of boarding out of patients under the provisions of section sixteen of chapter one hundred and twenty-three of the General Laws	100,000 00
1701-13	For the maintenance of a unit for the segregation of children at the Metropolitan state hospital, including personal services and certain other expenses in connection therewith	18,000 00
Total		\$411,780 00
Division of Mental Hygiene:		
1702-00	For expenses, including not more than sixty-six permanent positions, of investigating the nature, causes and results of mental diseases and defects and the publication of the results thereof, and of what further preventive or other measures might be taken and what further expenditures for investigation might be made which would give promise of decreasing the number of persons afflicted with mental diseases or defects	\$157,115 00
Special:		
1702-21	For the cost of boarding certain feeble-minded persons in private homes	\$6,000 00
For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Health:		
1710-00	Boston psychopathic hospital, including not more than one hundred and sixty-three permanent positions	\$305,830 00

Item		
1711-00	Boston state hospital, including not more than six hundred and eighty permanent positions	\$1,119,380 00
1711-26	For the cost of painting a certain iron fence at the Boston state hospital	5,000 00
1712-00	Danvers state hospital, including not more than five hundred and fifty-one permanent positions	1,068,730 00
1713-00	Foxborough state hospital, including not more than three hundred and thirty permanent positions	651,740 00
1714-00	Gardner state hospital, including not more than three hundred and thirty-two permanent positions	689,228 00
1715-00	Grafton state hospital, including not more than four hundred and fifty-nine permanent positions	842,845 00
1716-00	Medfield state hospital, including not more than four hundred and fifty-five permanent positions	851,735 00
1717-00	Metropolitan state hospital, including not more than four hundred and seven permanent positions	844,790 00
1717-29	(This item omitted).	
1718-00	Northampton state hospital, including not more than four hundred and fifty-four permanent positions	890,685 00
1719-00	Taunton state hospital, including not more than four hundred and fifty-seven permanent positions	842,130 00
1720-00	Westborough state hospital, including not more than four hundred and eighteen permanent positions	783,225 00
1721-00	Worcester state hospital, including not more than six hundred and fifteen permanent positions	1,243,385 00
1722-00	Monson state hospital, including not more than four hundred and fifteen permanent positions	746,386 00
1723-00	Belchertown state school, including not more than three hundred and three permanent positions	635,310 00
1724-00	Walter E. Fernald state school, including not more than four hundred and sixty-four permanent positions	887,500 00
1724-21	For certain replacements and additions to X-ray equipment at the Walter E. Fernald state school	3,500 00
1725-00	Wrentham state school, including not more than four hundred and one permanent positions	772,450 00
Total		\$13,183,849 00

Service of the Department of Correction.

1801-01	For the salary of the commissioner	\$6,000 00
1801-02	For personal services of deputies, agents and stenographers, including not more than twenty-four permanent positions	52,720 00
1801-03	For services other than personal, necessary office supplies and equipment	6,600 00
1801-04	For traveling expenses of officers and employees of the department, when required to travel in the discharge of their duties	1,500 00

Item		
1801-05	For the removal of prisoners, to and from state institutions	\$7,000 00
1801-07	For the expense of the service of the central index	1,000 00
Total		<hr/> \$74,820 00
Division of Classification of Prisoners:		
1801-08	For expenses of the division hereby authorized, including not more than ten permanent positions	\$24,850 00
Parole Board:		
1801-21	For personal services of the parole board and advisory board of pardons, agents, clerical and other employees, including not more than forty-three permanent positions	\$102,500 00
1801-22	For services other than personal, including necessary office supplies and equipment	3,400 00
1801-23	For traveling expenses of officers and employees of the parole board when required to travel in the discharge of their duties	10,500 00
1801-24	For assistance to discharged prisoners	1,000 00
Total		<hr/> \$117,400 00
For the maintenance of and for certain improvements at the following institutions under the control of the Department of Correction:		
1802-00	State farm, including not more than four hundred permanent positions	\$1,084,040 00
1803-00	State prison, including not more than one hundred and thirty-four permanent positions	457,300 00
1805-00	Massachusetts reformatory, including not more than one hundred and seventy-six permanent positions	628,235 00
1806-00	Reformatory for women, including not more than one hundred and sixteen permanent positions	344,010 00
1807-00	State prison colony, including not more than one hundred and eighty-eight permanent positions	609,545 00
Total		<hr/> \$3,123,130 00
<i>Service of the Department of Public Welfare.</i>		
Administration:		
1901-01	For the salary of the commissioner	\$7,000 00
1901-02	For personal services of officers and employees, including not more than thirty permanent positions	61,970 00
1901-03	For services other than personal, printing the annual report, traveling expenses, including expenses of auxiliary visitors, office supplies and expenses	5,330 00
Total		<hr/> \$74,300 00
Special:		
1901-22	For personal services and expenses in connection with the federal program for distribution of surplus commodities and the	

Item

school lunch program, so called; provided, that notwithstanding any other provision of law persons employed hereunder shall not be subject to the civil service laws or the rules and regulations made thereunder, nor to the laws regarding pensions and retirement, but their employment and salary rates shall be subject to approval of the division of personnel and standardization .

\$65,000 00

State Board of Housing:

1902-01 For personal services, including not more than nine permanent positions

\$20,350 00

1902-02 For expenses, as authorized by section eighteen of chapter eighteen of the General Laws

5,800 00

Total

\$26,150 00

Division of Aid and Relief:

1904-01 For personal services of officers and employees, including not more than one hundred and twenty-four permanent positions

\$244,660 00

1904-02 For services other than personal, including traveling expenses and office supplies and equipment

22,300 00

Total

\$266,960 00

Division of Child Guardianship:

1906-01 For personal services of officers and employees, including not more than one hundred and sixty-six permanent positions

\$308,560 00

1906-02 For services other than personal, office supplies and equipment

8,000 00

1906-03 For the care and maintenance of children, including not more than two permanent positions

2,150,000 00

Total

\$2,466,560 00

Tuition of children:

1907-01 For tuition in the public schools, including transportation to and from school, of children boarded by the department, for the twelve months ending June thirtieth, nineteen hundred and forty-six

\$350,000 00

The following items are for reimbursement of cities and towns, and are to be in addition to any unexpended balances of appropriations heretofore made for the purpose:

1907-05 For the payment of suitable aid to certain dependent children

\$2,600,000 00

1907-07 For the burial by cities and towns of indigent persons who have no legal settlement

10,000 00

1907-08 For expenses in connection with smallpox and other diseases dangerous to the public health

180,000 00

1907-09 For the support of sick indigent persons who have no legal settlement

225,000 00

Item		
1907-10	For temporary aid given to indigent persons with no legal settlement, and to shipwrecked seamen by cities and towns, and for the transportation of indigent persons under the charge of the department .	\$1,000,000 00
	Total	\$4,015,000 00
	Division of Juvenile Training, Trustees of Massachusetts Training Schools:	
1908-01	For services of the secretary and certain other persons employed in the executive office, including not more than seven permanent positions .	\$18,580 00
1908-02	For services other than personal, including printing the annual report, traveling and other expenses of the members of the board and employees, office supplies and equipment	2,200 00
	Boys' Parole:	
1908-11	For personal services of agents in the division for boys paroled and boarded in families, including not more than twenty-five permanent positions .	53,065 00
1908-12	For services other than personal, including traveling expenses of the agents and boys, and necessary office supplies and equipment .	18,000 00
1908-13	For board, clothing, medical and other expenses incidental to the care of boys .	24,000 00
	Girls' Parole:	
1908-31	For personal services of agents in the division for girls paroled from the industrial school for girls, including not more than eighteen permanent positions .	35,100 00
1908-32	For traveling expenses of said agents for girls paroled, for board, medical and other care of girls, and for services other than personal, office supplies and equipment .	17,500 00
	Total	\$168,445 00
	Instruction in public schools:	
1908-40	For reimbursement of cities and towns for tuition of children attending the public schools	\$7,000 00
	For the maintenance of and for certain improvements at the institutions under the control of the trustees of the Massachusetts training schools, with the approval of said trustees, as follows:	
1915-00	Industrial school for boys, including not more than one hundred and nine permanent positions .	\$243,200 00
1916-00	Industrial school for girls, including not more than ninety-six permanent positions .	218,530 00
1916-22	For the purchase and installation, including wiring, of certain electrical kitchen equipment, and for other kitchen improvements at the industrial school for girls	8,000 00

Item		
1917-00	Lyman school for boys, including not more than one hundred and forty-one permanent positions	\$335,800 00
	Total	\$805,530 00
	Massachusetts Hospital School:	
1918-00	For the maintenance of the Massachusetts hospital school, including not more than one hundred and fifty-two permanent positions, to be expended with the approval of the trustees thereof	\$276,040 00
	Tewksbury State Hospital and Infirmary:	
1919-00	For the maintenance of the Tewksbury state hospital and infirmary, including not more than six hundred and sixty-three permanent positions, to be expended with the approval of the trustees thereof	\$1,285,370 00

Service of the Department of Public Health.

	Administration:	
2001-01	For the salary of the commissioner	\$7,500 00
2001-02	For personal services of the health council and office assistants, including not more than twenty-eight permanent positions	45,460 00
2001-03	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment	22,500 00
	Division of Local Health Administration:	
2002-01	For personal services of the director and assistants, and district health officers and assistants, including not more than thirty-one permanent positions	92,000 00
2002-02	For services other than personal, traveling expenses, office supplies and equipment, and rent	20,000 00
	Division of Cancer and Other Chronic Diseases:	
2003-01	For personal services of the division, including not more than sixteen permanent positions	36,440 00
2003-02	For other expenses of the division, including cancer clinics	46,000 00
	Division of Maternal and Child Health:	
2004-01	For personal services of the division, including not more than twenty-two permanent positions	40,150 00
2004-02	For services other than personal, traveling expenses, office supplies and equipment, and rent	20,000 00
	Division of Communicable Diseases:	
2005-01	For personal services of the director, epidemiologists, bacteriologists, and assistants in the diagnostic laboratory and the Wassermann laboratory, including not more than thirty-seven permanent positions	69,180 00
2005-02	For services other than personal, traveling expenses, laboratory, office and other necessary supplies, including the purchase of animals and equipment, and including the expenses of the Wassermann laboratory	12,500 00

Item		
Venereal Diseases:		
2006-01	For personal services for the control of venereal diseases, including not more than eight permanent positions	\$18,000 00
2006-02	For services other than personal, traveling expenses, office supplies and equipment, including the cost of medicines, hospitalization, and clinics, to be in addition to any amount heretofore appropriated for the purpose; provided, that the maximum rate to be paid for hospitalization shall not exceed four dollars and fifty cents per diem	255,000 00
Division of Biologic Laboratories:		
2007-07	For personal services in the investigation and production of antitoxin and vaccine lymph and other specific material for protective inoculation, diagnosis and treatment, including not more than forty-seven permanent positions	85,220 00
2007-08	For other services, supplies, materials and equipment necessary for the production of antitoxin and other materials as enumerated above, and for rent	40,000 00
2008-02	For the purchase of laboratory supplies and other equipment required for the organization of a program for the production and utilization of blood plasma and other products derived from blood, to be in addition to any amount heretofore appropriated for the purpose	14,000 00
2008-11	For personal services for a program for the production and utilization of blood plasma and other products derived from blood, including not more than fifty-eight permanent positions; provided, that no charge shall be made for said products	86,760 00
2008-12	For other expenses for a program for the production and utilization of blood plasma and other products derived from blood; provided, that no charge shall be made for said products	50,000 00
2009-01	(This item omitted.)	
2009-02	(This item omitted.)	
Inspection of Food and Drugs:		
2012-01	For personal services of the director, analysts, inspectors and other assistants, including not more than thirty-one permanent positions	67,500 00
2012-02	For other services, including traveling expenses, supplies, materials and equipment	13,800 00
Division of Sanitary Engineering:		
2015-01	For personal services of the director, engineers, chemists, clerks and other assistants, including personal services for administering the law relative to shellfish, and including not more than fifty-one permanent positions	135,000 00
2015-02	For other services, including traveling expenses, supplies, materials and equipment, and for expenses for administering the law relative to shellfish	30,000 00
Total		\$1,207,010 00

Item		
	Division of Sanatoria and Tuberculosis:	
2020-01	For personal services of the division, including certain diagnostic clinics for tuberculosis, and including not more than twenty-nine permanent positions	\$70,000 00
2020-02	For other expenses of the division, including certain diagnostic clinics for tuberculosis	15,000 00
2020-03	For expenses of hospitalization of certain patients suffering from chronic rheumatism, as authorized by section one hundred and sixteen A of chapter one hundred and eleven of the General Laws	35,000 00
2020-11	To cover the payment of certain subsidies for the maintenance of hospitals for tubercular patients	385,000 00
	Total	<hr/> \$505,000 00

For the maintenance of and for certain improvements at the sanatoria, as follows:

2022-00	Lakeville state sanatorium, including not more than two hundred and twenty-seven permanent positions	\$365,520 00
2022-27	For certain improvements to the domestic water supply tank at the Lakeville state sanatorium	800 00
2022-28	For painting certain fire protection equipment at the Lakeville state sanatorium	1,000 00
2023-00	North Reading state sanatorium, including not more than one hundred and eighty-six permanent positions	274,750 00
2023-26	For the purchase and installation of a centrifugal pump at the North Reading state sanatorium	1,500 00
2024-00	Rutland state sanatorium, including not more than two hundred and forty-one permanent positions	429,425 00
2024-25	For certain improvements to the water supply system at the Rutland state sanatorium	4,725 00
2025-00	Westfield state sanatorium, including not more than two hundred and ninety-one permanent positions	483,970 00
2025-25	For certain improvements to the water supply system at the Westfield state sanatorium	3,200 00
	Total	<hr/> \$1,564,890 00

Pondville Hospital:

2031-00	For maintenance of the Pondville hospital, including care of radium, and including not more than two hundred and thirty-five permanent positions	\$329,550 00
2031-28	For certain plumbing improvements	1,500 00
2031-29	For certain improvements to the refrigeration system	2,640 00
	Total	<hr/> \$333,690 00

Service of the Department of Public Safety.

Administration:

2101-01	For the salary of the commissioner	\$6,000 00
2101-02	For personal services of clerks and stenographers, including not more than seventy-seven permanent positions	118,000 00

Item		
2101-03	For contingent expenses, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and motion picture licenses, as required by law, and for expenses of administering the law regulating the sale and resale of tickets to theatres and other places of public amusement by the department of public safety	\$60,000 00
	Total	\$184,000 00
Division of State Police:		
2102-01	For the salaries of officers and detectives, including not more than three hundred and nineteen permanent positions partly chargeable to item 2970-04	\$236,000 00
2102-02	For personal services of civilian employees, including not more than one hundred and twenty-eight permanent positions	160,000 00
2102-03	For other necessary expenses of the division, to be in addition to the amounts appropriated in item 2970-05	195,000 00
2102-04	For expert assistance to the commissioner and for maintenance of laboratories, including not more than five permanent positions	15,900 00
	Total	\$606,900 00
Fire Prevention Service:		
2103-01	For the salary of the state fire marshal	\$4,000 00
2103-02	For personal services of fire and other inspectors, including not more than eighteen permanent positions	52,620 00
2103-03	For other services, office rent and necessary office supplies and equipment	4,000 00
2103-04	For traveling expenses of fire and other inspectors	13,000 00
	Total	\$73,620 00
Division of Inspection:		
2104-01	For the salary of the chief of inspections	\$4,000 00
2104-02	For services, supplies and equipment necessary for investigations and inspections by the division	2,000 00
2104-11	For the salaries of officers for the building inspection service, including not more than thirty-one permanent positions	85,540 00
2104-12	For traveling expenses of officers for the building inspection service	15,200 00
2104-21	For the salaries of officers for the boiler inspection service, including not more than twenty-six permanent positions	73,260 00
2104-22	For traveling expenses of officers for the boiler inspection service	12,500 00
	Total	\$192,500 00
Board of Boiler Rules:		
2104-31	For personal services of members of the board, including not more than four permanent positions	\$1,000 00

Item		
2104-32	For services other than personal and the necessary traveling expenses of the board	\$500 00
	Total	\$1,500 00
	State Boxing Commission:	
2105-01	(This item included in items 2105-11 and 2105-12.)	
2105-02	(This item included in item 2105-13.)	
2105-11	For compensation of appointive commissioners	\$6,000 00
2105-12	For clerical assistance for the state boxing commission, including not more than three permanent positions	4,680 00
2105-13	For other expenses of the commission	11,000 00
	Total	\$21,680 00
	Board of Standards:	
2106-01	For personal services and expenses of the board, including not more than seven permanent positions	\$4,000 00
	Board of Elevator Regulations:	
2107-01	For personal services and expenses of the board of elevator regulations, as authorized by chapter six hundred and forty-three of the acts of nineteen hundred and forty-five, including not more than eight permanent positions	\$4,000 00
	Board of Fire Prevention Regulations:	
2108-01	For personal services and expenses of the board of fire prevention regulations, as authorized by chapter seven hundred and ten of the acts of nineteen hundred and forty-five, including not more than six permanent positions	\$4,200 00
	<i>Service of the Department of Public Works.</i>	
2200-02	For administering the law relative to advertising signs near highways	\$20,720 00
	Functions of the department relating to waterways and public lands:	
2202-01	For personal services of the director, chief engineer and assistants, including not more than sixty-seven permanent positions	58,000 00
2202-02	For services other than personal, including printing pamphlet of laws and the annual report, and for necessary office and engineering supplies and equipment	1,600 00
2202-03	For the care and maintenance of the province lands and of the lands acquired and structures erected by the Provincetown tercentenary commission, including not more than five permanent positions	8,000 00
2202-04	For the compensation of dumping inspectors	1,000 00
2202-06	For the maintenance and repair of certain property in the town of Plymouth, including not more than two permanent positions	3,500 00
2202-07	For the operation and maintenance of the New Bedford state pier, including not more than seven permanent positions	13,000 00

Item		
2202-08	For the operation and maintenance of the Cape Cod Canal pier, including not more than two permanent positions	\$5,000 00
2202-09	For the maintenance of structures, and for repairing damages along the coast line or river banks of the commonwealth, and for the removal of wrecks and other obstructions from tidewaters and great ponds	50,000 00
2202-11	For the improvement, development, maintenance and protection of rivers and harbors, tidewaters and foreshores within the commonwealth, as authorized by section eleven of chapter ninety-one of the General Laws, and of great ponds, and any unexpended balance of the appropriation for these purposes remaining at the end of the current fiscal year may be expended in the succeeding fiscal year; provided, that all expenditures shall be upon condition that at least fifty per cent of the cost is covered by contributions from municipalities or other organizations and individuals, except that in the case of dredging channels for harbor improvements at least twenty-five per cent of the cost shall be so covered; and, provided further, that the entire cost of preliminary plans and surveys of work to be undertaken hereunder may be borne by the commonwealth	100,000 00
2202-12	For re-establishing and permanently marking certain triangulation points and stations, as required by order of the land court in accordance with section thirty-three of chapter ninety-one of the General Laws	800 00
2202-13	For expenses of surveying certain town boundaries, by the department of public works	300 00
Total		<u>\$241,200 00</u>

Functions of the department relating to airports:

2230-01	For personal services and other expenses of operating the Logan airport	\$200,000 00
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Service of the Department of Public Utilities.

2301-01	For personal services of the commissioners, including not more than five permanent positions	\$36,000 00
2301-02	For personal services of secretaries, employees of the accounting division, engineering division, and rate and tariff division, including not more than sixteen permanent positions	52,765 00
2301-03	For personal services of the inspection division, including not more than twenty-two permanent positions	58,520 00
2301-04	For personal services of clerks, messengers and office assistants, including not more than eleven permanent positions	19,115 00
2301-05	For personal services of the telephone and telegraph division, including not more than seven permanent positions	18,840 00

Item		
2301-06	For traveling expenses of the commissioners and employees	\$6,500 00
2301-07	For other expenses, including printing the annual report and necessary office supplies and equipment	10,000 00
2301-08	For stenographic reports of evidence at inquests held in cases of death by accident on or about railroads, or caused by the operation of motor vehicles for the carriage of passengers for hire	300 00
	Total	<hr/> \$202,040 00
Special Investigations:		
2301-09	For personal services and expenses of hearings and special investigations, including legal assistants and stenographic services as needed; provided, that no salaries or expenses of permanent employees shall be charged to this item	<hr/> \$15,000 00
2301-11	For personal services and expenses of an investigation of the Boston Elevated Railway Company, as provided by section three of chapter three hundred and thirty-three of the acts of nineteen hundred and thirty-one, and of a complete audit of the finances of said company, including the cost of preparation of the report of said investigation and audit; provided, that no salaries or expenses of permanent employees shall be charged to this item	20,000 00
	Total	<hr/> \$35,000 00
Investigation of Gas and Electric Light Meters:		
2302-01	For personal services of the division of inspection of gas and gas meters, including not more than twelve permanent positions	<hr/> \$28,255 00
2302-02	For expenses of the division of inspection of gas and gas meters, including traveling and other necessary expenses of inspection	4,500 00
	Total	<hr/> \$32,755 00
Commercial Motor Vehicle Division:		
2304-01	For personal services of the director and assistants, including not more than twenty-four permanent positions	<hr/> \$53,300 00
2304-02	For other services, necessary office supplies and equipment, and for rent	20,000 00
	Total	<hr/> \$73,300 00
Sale of Securities:		
2308-01	For personal services in administering the law relative to the sale of securities, including not more than nine permanent positions	<hr/> \$22,485 00
2308-02	For expenses other than personal in administering the law relative to the sale of securities	2,900 00
	Total	<hr/> \$25,385 00

Interest on the Public Debt.

Item		
2410-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2951-00	\$94,279 50

Requirements for Extinguishing the State Debt.

2420-00	For sinking fund requirements and for certain serial bonds maturing during the year nineteen hundred and forty-seven, to be in addition to the amount appropriated in item 2952-00	\$1,690,000 00
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Bunker Hill Monument.

2801-00	For the maintenance of Bunker Hill monument and the property adjacent, to be expended by the metropolitan district commission	\$13,090 00
2801-21	For certain repairs and improvements to the monument, buildings and grounds, to be expended by the metropolitan district commission, and to be in addition to any amount heretofore appropriated for these purposes	26,500 00
Total		\$39,590 00

Unclassified Accounts and Claims.

2805-01	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves	\$10,000 00
2805-02	For payment of any claims, as authorized by section eighty-nine of chapter thirty-two of the General Laws, for allowances to the families of certain employees killed or fatally injured in the discharge of their duties	12,000 00
2811-02	For the compensation of veterans who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws	275,000 00
2811-03	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired	65,000 00
2811-04	For the compensation of state police officers formerly in the service of the commonwealth, now retired	57,000 00
2820-02	For small items of expenditure for which no appropriations have been made, and for cases in which appropriations have been exhausted or have reverted to the treasury in previous years	1,000 00
2820-04	For the compensation of certain public employees for injuries sustained in the course of their employment, for the year nineteen hundred and forty-seven and for previous years, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, to be in addition to the amounts appropriated by item 2970-07	45,000 00

Item		
2820-06	For reimbursement of persons for funds previously deposited in the treasury of the commonwealth and escheated to the commonwealth	\$5,000 00
	Total	\$470,000 00

Reserve for Cost of Food.

2820-31	For a reserve for expenses arising from possible increases in the cost of food the sum of three hundred and fifty thousand dollars is hereby appropriated and made available for transfer with the approval of the commission on administration and finance, to appropriation items where the amounts otherwise available for the purchase of food are insufficient for the purpose	\$350,000 00
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Purchase of Motor Vehicles.

2820-32	For the purchase of motor vehicles by the state purchasing agent the sum of two hundred thousand dollars is hereby appropriated. Motor vehicles purchased under this item are to be allocated, with the approval of the commission on administration and finance, to the various departments and agencies of the commonwealth, and transfers of the sums required for said purchases are to be authorized by said commission from the amount herein appropriated to appropriations made for the services of said departments and agencies	\$200,000 00
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THE FOLLOWING APPROPRIATIONS ARE MADE FROM THE HIGHWAY FUND:

Service of the Department of Public Works.

Administration:

2921-01	For the salaries of the commissioner and the associate commissioners, including not more than three permanent positions	\$19,500 00
2921-02	For personal services of clerks and assistants to the commissioner, including not more than twelve permanent positions	21,540 00
2921-03	For traveling expenses of the commissioners	2,000 00
2921-04	For telephone service in the public works building, including not more than six permanent positions	25,500 00
	Total	\$68,540 00

Public Works Building:

2922-01	For personal services for the maintenance and operation of the public works building, including not more than sixty-three permanent positions	\$80,280 00
2922-02	For the salaries of guards for the public works building, including not more than seventeen permanent positions	31,500 00
2922-03	For other expenses for the maintenance and operation of the public works building	53,000 00
	Total	\$164,780 00

Item		
	Functions of the department relating to highways:	
2900-02	For personal services and expenses of administrative and engineering work performed in connection with all highway activities; for personal services and expenses of the department secretary and department business agent; and for the payment of damages caused by defects in state highways, with the approval of the attorney general	\$3,750,000 00
2900-04	For the maintenance and repair of state highways and bridges, including control of snow and ice on state highways and town roads, and for the maintenance of traffic signs and signals; for personal services and expenses of work for which the highway fund is reimbursed, other than work in connection with projects included in federal aid programs; for the cost, not exceeding seventy-five thousand dollars, of increasing the inventory held in store-rooms of the department; and for the payment of personal services and expenses in connection with the purchase, construction and repair of shelters for departmental equipment and material, the cost of which is less than five thousand dollars for each project	4,400,000 00
2900-09	For the construction and reconstruction of state highways by state forces	200,000 00
2900-10	For projects for the construction and reconstruction of highways and bridges, including the elimination of grade crossings, which have been approved by the proper federal authorities to be included in federal aid programs, and for land damages in connection with such projects; to be in addition to amounts heretofore authorized for these purposes	10,000,000 00
2900-11	(This item included in item 2900-12.)	
2900-12	The unexpended balance on June thirtieth, nineteen hundred and forty-six, appropriated in item 2900-12 of section five of chapter six hundred and eighty-nine of the acts of nineteen hundred and forty-five is hereby made available for expenditure during the year nineteen hundred and forty-seven for projects for improving state highways and through routes, including bridges, and including construction and reconstruction, it being the intent of the general court that state highways shall be made continuous whether or not the sections to be made state highways require construction work; and, upon agreement with city or town officials, for construction of needed improvements on other through routes not designated as state highways and without acceptance by the commonwealth of responsibility for maintenance; provided, that any portion of said sum may be used in connection with federal aid programs or in conjunction with city or town funds.	

Item		
2900-17	For projects for the construction and repair of town and county ways, as provided in subdivision two (a) of section thirty-four of chapter ninety of the General Laws .	\$2,864,000 00
2900-18	For aiding towns in the repair and improvement of public ways, as provided in section twenty-six of chapter eighty-one of the General Laws, under the terms provided in item 2900-18 of section five of chapter six hundred and eighty-nine of the acts of nineteen hundred and forty-five .	2,076,000 00
2900-50 } 55 }	The existence of the public works stores and equipment account, established by items 2900-50 and 2900-55 of section two of chapter sixty-eight of the acts of nineteen hundred and forty-three, is hereby continued for the year nineteen hundred and forty-seven under the terms and conditions prescribed by said items of said chapter sixty-eight; provided, that the total amount to be expended for capital outlay for the purchase of equipment from this account in the year nineteen hundred and forty-seven shall not exceed seven hundred thousand dollars; and the sum of two hundred thousand dollars is hereby appropriated, to be in addition to any amounts otherwise available for this purpose .	200,000 00

Special:

2923-72	For stream clearance projects, as authorized by sections one to four, inclusive, of chapter five hundred and thirteen of the acts of nineteen hundred and thirty-nine .	55,000 00
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Total	\$23,545,000 00
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Registration of Motor Vehicles:

2924-01	For personal services, including not more than six hundred and seventy-nine permanent positions	\$1,176,880 00
2924-02	For services other than personal, including traveling expenses, purchase of necessary supplies and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners and operators of motor vehicles	505,000 00
2924-03	For printing and other expenses necessary in connection with publicity for certain safety work	5,000 00
	Total	<u>\$1,686,880 00</u>

Metropolitan District Commission.

The following items are to be paid with the approval of the metropolitan district commission:

2931-01	For personal services and other expenses of general administration, including not more than fifty-one permanent positions, partly chargeable to item 8501-00 .	\$32,250 00
2931-03	For maintenance of boulevards and parkways, including installation of traffic lights	1,443,200 00

Item		
2931-04	For the construction, reconstruction and improvement of boulevards and parkways, including bridges, and including the resurfacing and repairing thereof, to be in addition to any amount heretofore appropriated for the purpose	\$1,000,000 00
Specials:		
2931-30	For the cost of extending a certain drain at Quincy shore boulevard, so called, to be in addition to any amount heretofore appropriated for the purpose	3,000 00
2931-33	For the state's share of the costs of a co-operative study by the Beach Erosion Board of the federal government of beach problems within the metropolitan district, including Winthrop, Quincy shore, Lynn shore, Revere beach and Nantasket, to be in addition to any amount heretofore appropriated for the purpose	5,000 00
2931-34	For the cost of improvement of a certain drain on the Old Colony Parkway, so called, including the acquisition of such land as may be necessary therefor	6,500 00
2931-35	For the cost of certain repairs for shore protection at Lynn shore, Quincy shore and Revere beach boulevard	40,000 00
2931-36	(This item included in item 2931-35.)	
2931-37	(This item included in item 2931-35.)	
2931-38	(This item omitted.)	
2931-39	For certain grading and landscaping on the Mystic Valley Parkway, so called	15,000 00
2931-40	(This item included in item 2931-04.)	
2931-41	(This item included in item 2931-04.)	
2931-42	(This item included in item 2931-04.)	
2931-43	(This item omitted.)	
2931-44	For the purchase and installation of certain street lighting systems	157,000 00
Total		\$2,701,950 00

Interest on the Public Debt.

2951-00	For the payment of interest on the direct debt of the commonwealth, to be in addition to the amount appropriated in item 2410-00	\$8,962 50
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Requirements for Extinguishing the State Debt.

2952-00	For sinking fund requirements and certain serial bonds maturing during the year nineteen hundred and forty-seven, to be in addition to the amount appropriated in item 2420-00	\$8,500 00
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Service of the Treasurer and Receiver-General.

State Board of Retirement:		
2970-01	For requirements of annuity funds and pensions for employees retired from the state service under authority of law, to be in addition to the amount appropriated in item 0604-03	\$36,000 00

Service of the Department of Banking and Insurance.

Item		
	Division of Insurance:	
2970-02	For other personal services of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, to be in addition to the amount appropriated in item 1103-02	\$70,000 00

Service of the Department of Corporations and Taxation.

2970-03	To cover the estimated cost of collection of the gasoline tax, so called, and to be in addition to the amount appropriated in item 1201-02	\$50,000 00
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Service of the Department of Public Safety.

	Division of State Police:	
2970-04	For the salaries of officers and detectives, to be in addition to the amount appropriated in item 2102-01	\$354,000 00
2970-05	For other necessary expenses of the division, to be in addition to the amount appropriated in item 2102-03	195,000 00
	Special:	
2970-06	For the purchase and installation of certain two-way radio equipment in the state police radio communication system; including the cost of necessary construction and alterations of buildings and structures	50,000 00
	Total	\$599,000 00

Unclassified Accounts and Claims.

2970-07	For the compensation of certain public employees for injuries sustained in the course of their employment, for the year nineteen hundred and forty-seven and for previous years, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, to be in addition to the amount appropriated by item 2820-04	\$55,000 00
2970-09	For the estimated share of the cost of certain administrative functions of the treasurer and receiver-general, the auditor of the commonwealth, and the commission on administration and finance, properly chargeable to the highway fund, the sum of one hundred thousand dollars is hereby appropriated to be allocated in the following amounts for the purposes set forth in the following items and to be in addition to the amounts appropriated in said items from the general fund:	
	Item 0414-02	\$2,500 00
	Item 0414-03	40,000 00
	Item 0414-04	2,500 00
	Item 0414-05	15,000 00
	Item 0414-06	10,000 00
	Item 0601-02	15,000 00
	Item 0701-02	15,000 00
		\$100,000 00

Item

PORT OF BOSTON FUND.

(All items included under the Port of Boston Fund are postponed for further consideration.)

THE FOLLOWING APPROPRIATIONS ARE MADE FROM THE INLAND FISHERIES AND GAME FUND:

Service of the Department of Conservation.

	Division of Fisheries and Game:	
3304-01	For the salary of the director	\$5,000 00
3304-02	For personal services of office assistants, including not more than ten permanent positions	16,600 00
3304-03	For services other than personal, including printing the annual report, traveling expenses and necessary office supplies and equipment, and rent	6,500 00
	Enforcement of laws:	
3304-11	For personal services of conservation officers, to be in addition to the amount appropriated in item 1004-11	35,985 00
3304-12	For traveling expenses of conservation officers, and for other expenses necessary for the enforcement of the laws, to be in addition to the amount appropriated in item 1004-12	12,500 00
	Biological work:	
3304-21	For personal services to carry on biological work, including not more than one permanent position	2,400 00
3304-22	For traveling and other expenses of the biologist and his assistants	1,500 00
	Propagation of game birds, etc.:	
3304-31	For personal services of employees at game farms and fish hatcheries, including not more than twenty-five permanent positions	90,000 00
3304-32	For other maintenance expenses of game farms and fish hatcheries, and for the propagation of game birds and animals and food fish	111,500 00
	Damages by wild deer and wild moose:	
3304-35	For the payment of damages caused by wild deer and wild moose, for the year nineteen hundred and forty-seven and for previous years, as provided by law	6,000 00
	Supervision of public fishing and hunting grounds:	
3304-41	For personal services	2,280 00
3304-42	For other expenses	1,000 00
	Specials:	
3304-43	For the cost of certain work in connection with the improvement of streams and bird cover, including increasing the supply of feed for game birds	10,000 00

Item		
3304-45	For expenses of providing for the establishment and maintenance of public fishing grounds; provided, that none of the money appropriated in this item shall be used for the purchase of land . . .	\$5,000 00
3304-47	For consultants and other personal services, and for expenses, in connection with a biological survey of the streams and waters of the commonwealth to be made under the direction of the commissioner of conservation . . .	10,000 00
3304-48	For the cost of certain improvements at state game farms . . .	15,000 00
3304-49	For the cost of certain improvements at state fish hatcheries . . .	37,000 00
3304-50	(This item postponed.)	
	Division of Wild Life Research and Management (it is hereby provided that federal funds received as reimbursements under the following items are to be credited as income to the Inland Fisheries and Game Fund):	
3304-51	For personal services, including not more than four permanent positions . . .	21,380 00
3304-52	For other expenses . . .	6,000 00
3304-53	For expenses of establishing and conducting co-operative wild life restoration projects, as authorized by chapter three hundred and ninety-two of the acts of nineteen hundred and thirty-eight, including not more than four permanent positions . . .	25,000 00
	Total . . .	\$420,645 00

THE FOLLOWING APPROPRIATION IS PAYABLE FROM REVENUES RECEIVED UNDER CHAPTER 731 OF THE ACTS OF 1945:

Service of the Treasurer and Receiver-General.

3506-21	For personal services and other expenses of the treasurer and receiver-general in connection with the payment of the veterans' bonus, so called, as authorized by chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, to be in addition to any amounts heretofore made available for the purpose . . .	\$136,000 00
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THE FOLLOWING APPROPRIATIONS ARE PAYABLE FROM REVENUES CREDITED TO THE OLD AGE ASSISTANCE FUND:

Service of the Alcoholic Beverages Control Commission.

3604-01	For personal services, including not more than forty-five permanent positions . . .	\$116,120 00
3604-02	For services other than personal, including rent of offices, travel, and office and incidental expenses . . .	29,000 00
	Total . . .	\$145,120 00

Service of the State Racing Commission.

3604-11	For personal services, including not more than eight permanent positions . . .	\$94,036 00
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Item		
3604-12	For other administrative expenses, including rent of offices, travel, and office and incidental expenses	\$16,300 00
	Total	\$110,336 00

Service of the Department of Public Welfare.

3619-01	For personal services required for the administration of old age assistance provided by chapter one hundred and eighteen A of the General Laws, including not more than forty-seven permanent positions	\$90,000 00
3619-02	For other expenses, including rent, travel, office supplies and other necessary expenses, required for the administration of old age assistance provided by said chapter one hundred and eighteen A	14,000 00
	Reimbursement:	
3625	For reimbursement to cities and towns for old age assistance for the year nineteen hundred and forty-seven and for previous years	20,000,000 00
	Total	\$20,104,000 00

THE FOLLOWING APPROPRIATIONS ARE PAYABLE FROM THE MOSQUITO CONTROL FUND:

State Reclamation Board.

3901	For the maintenance and construction of drainage ditches, as authorized by chapter three hundred and seventy-nine of the acts of nineteen hundred and thirty, as amended by section one of chapter two hundred and fifty of the acts of nineteen hundred and thirty-five, to be assessed in the calendar year nineteen hundred and forty-six	\$36,672 26
3915	For the maintenance and construction of drainage ditches, as authorized by chapter four hundred and fifty-six of the acts of nineteen hundred and forty-five, to be assessed in the calendar year nineteen hundred and forty-six	49,627 21
	Total	\$86,299 47

THE FOLLOWING APPROPRIATIONS ARE PAYABLE FROM THE PARKS AND SALISBURY BEACH RESERVATION FUND:

Division of Parks and Recreation.

4011	For personal services for certain administrative purposes and for certain consulting services, including not more than seven permanent positions	\$37,600 00
4012	For travel and other administrative expenses, including supplies for reservation improvements	8,000 00
4013	For the development of recreational opportunities in state forests, including personal services and other expenses	39,000 00
4021	For the maintenance of the Standish monument reservation	2,000 00

Item	
Salisbury Beach Reservation:	
4031	For the maintenance of Salisbury beach reservation, including not more than one permanent position
	\$26,000 00
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	Total \$112,600 00

THE FOLLOWING APPROPRIATIONS ARE PAYABLE FROM THE SMOKE INSPECTION FUND:

Division of Smoke Inspection.

4311	For personal services, including not more than twelve permanent positions	\$28,955 00
4312	For other services, printing the annual report, travel, and necessary office supplies and equipment	3,000 00
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	Total	\$31,955 00

THE FOLLOWING APPROPRIATIONS ARE PAYABLE FROM THE PRISON INDUSTRIES FUND:

4401	For salaries of persons employed in the department of correction in certain supervisory and administrative work in prison industries, including not more than seven permanent positions; provided, that of the amount herein appropriated the proportions properly chargeable to the prison industries fund at the Massachusetts reformatory, the reformatory for women, the state prison, and the state prison colony shall be determined by the comptroller	\$21,300 00
4411	For salaries of persons employed in industries at the Massachusetts reformatory, including not more than twenty-five permanent positions	54,200 00
4511	For salaries of persons employed in industries at the reformatory for women, including not more than thirteen permanent positions	25,000 00
4611	For salaries of persons employed in industries at the state prison, including not more than twenty-eight permanent positions	58,000 00
4711	For salaries of persons employed in industries at the state prison colony, including not more than twenty-six permanent positions	63,920 00
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	Total	\$222,420 00

METROPOLITAN DISTRICT COMMISSION FUNDS.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction and with the approval of the metropolitan district commission:

8501-00	For personal services and other expenses of general administration, to be in addition to the amount appropriated in item 2931-01	\$96,750 00
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Item		
8602-00	For maintenance of parks reservations, including the retirement of veterans under the provisions of the General Laws . . .	\$706,990 00
8602-27	For the cost of suppressing gypsy moths, including certain equipment, to be assessed as part of the cost of maintenance of parks reservations . . .	15,000 00
8602-37	For the expense of holding band concerts, to be assessed as part of the cost of maintenance of parks reservations . . .	20,000 00
8602-45	For the cost of constructing a jetty and dredging a channel at Merrymount Beach, so called, at Quincy shore, to be assessed as part of the cost of maintenance of parks reservations . . .	7,500 00
8607-00	For maintenance of the Charles River basin, including retirement of veterans under the provisions of the General Laws . . .	192,010 00
8611-00	For maintenance of the Nantasket Beach reservation . . .	65,165 00
8611-25	For certain roofing repairs to certain buildings at the Nantasket Beach reservation, to be assessed as part of the cost of maintenance of the Nantasket Beach reservation . . .	12,000 00
8611-28	For certain roofing repairs to the waiting room building, so called, at the Nantasket Beach reservation, to be assessed as part of the cost of maintenance of the Nantasket Beach reservation . . .	3,000 00
8802-00	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, including retirement of veterans under the provisions of the General Laws . . .	523,165 00
8802-29	(This item postponed.)	
8802-30	(This item postponed.)	
8802-31	(This item postponed.)	
8802-32	(This item postponed.)	
8802-33	(This item postponed.)	
8807-00	For the maintenance and operation of a system of sewage disposal for the south metropolitan sewerage district, including retirement of veterans under the provisions of the General Laws . . .	342,685 00
8807-25	For the purchase and installation of a new pump and priming system at the Ward Street pumping station, to be assessed as part of the maintenance of the south metropolitan sewerage system . . .	40,000 00
8807-26	For certain repairs and replacements of window sashes and frames at the Ward Street pumping station, to be assessed as part of the maintenance of the south metropolitan sewerage system . . .	7,500 00
8807-28	For the cost of rebuilding a certain collapsed section of sewer in Dorchester, to be assessed as part of the maintenance of the south metropolitan sewerage system . . .	86,000 00
8902-00	For the maintenance and operation of the metropolitan water system, including retirement of veterans under the provisions of the General Laws . . .	1,230,400 00

Item		
8902-22	For emergency repairs to water mains, to be included as a part of the cost of maintenance of the metropolitan water system . . .	\$10,000 00
8902-24	For payment to the county commissioners of Worcester county of certain assessments upon the former town of Dana, to be included as a part of the cost of maintenance of the metropolitan water system . . .	400 00
8902-25	For personal services of metropolitan district police at the Quabbin Reservoir, so called, including not more than ten permanent positions, to be included as a part of the cost of maintenance of the metropolitan water system . . .	22,600 00
8902-34	For the construction of additions and improvements to certain supply and distribution mains, as a part of the cost of maintenance of the metropolitan water system, to be in addition to any amount heretofore appropriated for the purpose . . .	300,000 00
8902-35	For maintenance expenses, including personal services, of property held and operated by the metropolitan water supply commission, to be included as a part of the cost of maintenance of the metropolitan water system . . .	200,000 00
8902-43	For the construction of a building to house certain equipment at the Weston Reservoir, so called, to be included as a part of the cost of maintenance of the metropolitan water system . . .	5,000 00
8902-44	For the construction of a building to house certain equipment at the Bear Hill Reservoir, so called, to be included as a part of the cost of maintenance of the metropolitan water system . . .	5,000 00
	Total	\$3,891,165 00

TOTAL FUNDS:

General Fund	\$68,312,295 70
Highway Fund	31,611,167 50
Inland Fisheries and Game Fund	473,730 00
Veterans' Fund (chapter 731, Acts of 1945)	186,000 00
Old Age Assistance Fund	20,428,126 00
Special Assessment Funds	267,074 47
Prison Industries Fund	283,380 00
Metropolitan District Commission Funds	4,516,000 00
(The above totals include amounts appropriated in section seven.)	

SECTION 3. No payment shall be made or obligation incurred under authority of any special appropriation made by this act for construction of public buildings or other improvements at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

SECTION 4. No moneys appropriated under this act shall be expended for reimbursement for the expenses of meals for persons while traveling within the commonwealth at the expense thereof, unless such reimbursement is in

accordance with rules and rates which are hereby authorized to be established from time to time by the commission on administration and finance.

SECTION 5. The allowance to state employees for expenses incurred by them in the operation of motor vehicles owned by them and used in the performance of their official duties shall not exceed five and one half cents a mile.

SECTION 6. Amounts included for permanent positions in sums appropriated in section two for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on ways and means, and, except as otherwise shown by the files of said committee, no part of sums so appropriated in section two shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent position, except as provided by section seven of this act.

SECTION 7. To meet the cost of the salary increases for certain state employees other than those whose salaries are established by statute, as set forth in a letter dated April 16, 1946, from the director of the division of personnel and standardization to the joint committee on ways and means and approved by said joint committee, the sum of eleven million four hundred and seventy-four thousand four hundred and fifty-six dollars is hereby appropriated for the fiscal year 1947 to be paid in the following amounts from the following funds:

General Fund	\$8,064,131 00
Highway Fund	2,516,555 00
Inland Fisheries and Game Fund	53,085 00
Veterans' Fund (chapter 731, Acts of 1945)	50,000 00
Old Age Assistance Fund	68,670 00
Parks and Salisbury Beach Reservation Fund	29,230 00
Smoke Inspection Fund	6,990 00
Prison Industries Fund	60,960 00
Metropolitan District Commission Funds	624,835 00
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	\$11,474,456 00

The sum herein appropriated is based upon estimates prepared by the division of personnel and standardization and incorporated in said letter, which have been approved by the joint committee on ways and means, of the amounts required to be added to each of the appropriation items for personal services in section two of this act, in order to meet the cost of said salary increases. The comptroller is hereby directed to transfer said amounts from the sum herein appropriated to said appropriation items in section two of this act, the same to be in each instance in addition to the amounts already appropriated in said items.

SECTION 8. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and forty-seven shall be available for the payment of such other forms of compensation as may be

due under existing statutes, or under the provisions of rules and regulations made in accordance with said statutes.

SECTION 9. All money paid into the treasury of the commonwealth from federal subventions and grants may be expended without specific appropriation, if such expenditures are otherwise in accordance with law; provided, that applications for such subventions and grants, and for transfers within said subventions and grants, shall be subject to the approval of the commission on administration and finance.

SECTION 10. The budget commissioner is hereby directed to send a copy of sections three to nine, inclusive, of this act to each departmental, divisional and institutional head immediately following the passage of this act.

SECTION 11. Sections one to nine, inclusive, of this act shall take effect on July first, nineteen hundred and forty-six.

Approved May 16, 1946.

AN ACT PROVIDING THAT ADMISSION OF PATIENTS TO CERTAIN COUNTY TUBERCULOSIS HOSPITALS BE BASED UPON THEIR PLACES OF SETTLEMENT.

Chap. 310

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and eleven of the General Laws is hereby amended by striking out section seventy-eight, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 78.* The county commissioners of each county in the commonwealth shall provide, as required by sections seventy-eight to ninety, inclusive, adequate hospital care for all persons having settlements in towns having less than one hundred thousand population as determined by the last national census, within the boundaries of their respective counties, irrespective of the residence of such persons, and all residents therein having no settlement within the commonwealth, who are suffering from pulmonary tuberculosis, who need such hospital care and for whom adequate hospital provision does not already exist, and in any such case the tuberculosis hospital in said county shall be deemed to serve each town in the hospital district in said county with respect to the persons for whom hospital provision is required to be provided as aforesaid; provided, that the county commissioners of any county electing so to do shall provide by contract in accordance with section seventy-nine adequate hospital care, as required by sections seventy-eight to ninety, inclusive, for all persons residing in like towns within the boundaries of their county who are suffering from pulmonary tuberculosis, who need such hospital care and for whom adequate hospital provision does not already exist.

G. L. (Ter. Ed.), 111, § 78, amended.

Counties to provide hospital care for certain persons suffering from pulmonary tuberculosis.

SECTION 2. Said chapter one hundred and eleven is hereby further amended by striking out section eighty-eight, as amended by section two of chapter five hundred of the acts of nineteen hundred and forty-three, and inserting in place thereof the following section: — *Section 88.* Patients shall

G. L. (Ter. Ed.), 111, § 88, etc., amended.

Admission of patients.

Payments, etc.

be admitted to said hospitals through application by the boards of health of the towns served by such hospitals, and all patients shall be admitted in the order of their application. Upon the request of any registered physician the board of health shall forward forthwith to the hospital an application for admission of any person found to be afflicted with pulmonary tuberculosis; provided, that if a person found to be so afflicted resides in a town in the hospital district of a county where admission of patients is based on their place of settlement and has a settlement in a town in the hospital district of another such county, the board of health of the town where such person resides shall give notice of the case to the board of health of the town of settlement which shall make application for the admission of such person to the hospital serving the town of settlement. The charge for the support of a patient in any of said hospitals shall be paid by the town sending him to the hospital except that, if the patient has no known settlement in the commonwealth, the charge shall be paid by it, upon the approval of the bills by the department of public welfare, in the manner provided by section one hundred and sixteen. Such charges may afterward be recovered by the town or by the state treasurer, as the case may be, from the patient, if he is able to pay, or from any person or kindred bound by law to maintain him, in the manner provided by section sixty-six for the recovery of unpaid charges for the support of inmates of the state sanatoria. Patients may be discharged only in accordance with rules and regulations established by the medical staff of the hospital and approved by the superintendent thereof.

G. L. (Ter. Ed.), 111, § 88A, etc., amended.

Emergency and non-emergency admissions.

Rate of charges.

SECTION 3. Said chapter one hundred and eleven is hereby further amended by striking out section eighty-eight A, inserted by said section two of said chapter five hundred, and inserting in place thereof the following section:— *Section 88A.* If a person, residing in a town in the hospital district of a county where admission of patients is based on their place of settlement and having a settlement in a town in the hospital district of another such county, is found to be afflicted with pulmonary tuberculosis and his case is, in the opinion of the superintendent of the hospital in whose district he resides, an emergency one, he may be admitted to the hospital on application of the board of health of the town in which he resides and the town of settlement shall be liable to the town of residence at the rate of six dollars for each day while such person is a patient at such hospital. The period of such emergency and hospitalization shall be determined by the superintendent of the hospital. Whenever accommodations are available, patients not entitled to be admitted under section eighty-eight and not emergency cases may be admitted on terms approved by the trustees but not at rates lower than the total approximate cost for patients entitled to be admitted under section eighty-eight.

Approved May 16, 1946.

AN ACT PROVIDING FOR THE MAINTENANCE IN THE STATE HOUSE OF THE HEADQUARTERS OF THE DEPARTMENT OF MASSACHUSETTS, UNITED SPANISH WAR VETERANS, AND FOR THE PRESERVATION OF ITS HISTORY AND RECORDS. *Chap.311*

Be it enacted, etc., as follows:

Section sixteen of chapter thirty-three of the General Laws, as appearing in section one of chapter four hundred and twenty-five of the acts of nineteen hundred and thirty-nine, is hereby amended by adding at the end thereof the following paragraph:—

G. L. (Ter. Ed.), 33, § 16, etc., amended.

The adjutant general shall include in his annual budget estimates a sum not exceeding fifteen hundred dollars to be used to aid in defraying the expenses of maintaining in the state house the headquarters of the Department of Massachusetts, United Spanish War Veterans, and in preserving its history and records. Payments for such aid shall be made upon the presentation of vouchers to the comptroller therefor, approved by the commander of said department.

Headquarters of the Department of Massachusetts, United Spanish War Veterans, to be maintained.

Approved May 16, 1946.

AN ACT EXEMPTING CERTAIN PRODUCERS OF MILK FROM MAKING CERTAIN REPORTS AS MILK DEALERS. *Chap.312*

Be it enacted, etc., as follows:

Section thirteen of chapter ninety-four A of the General Laws is hereby amended by striking out the first paragraph of subsection (e), added at the end thereof by chapter one hundred and thirty-four of the acts of nineteen hundred and forty-five, and inserting in place thereof the following paragraph:—

G. L. (Ter. Ed.), 94A, § 13, etc., amended.

Except as to markets in which there is in operation and effect an order or regulation issued by the legally constituted authorities of the United States regulating the marketing of milk in such markets, and except as to markets in which there is in operation and effect an order issued by the board regulating the marketing of milk in such markets upon a market-wide pool basis, each milk dealer required to be licensed under this chapter, except a milk dealer eligible for exemption under subsection (b) of section four, and except a milk dealer who is also a producer selling to consumers not more than fifty quarts of milk daily, shall, within such period as the board by order, rule or regulation requires, but not later than ten days after the close of each delivery period with respect to milk or cream received by such milk dealer, file with the director, in detail and form approved by the board, a report as follows:—

Information to be supplied by milk dealers.

Approved May 16, 1946.

Chap. 313 AN ACT RELATIVE TO THE EXCHANGE, ALTERATION OR CONVERSION OF LIFE INSURANCE POLICIES AND ANNUITY CONTRACTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 139, etc., amended.

Exchange, alteration or conversion of certain life policies.

Chapter one hundred and seventy-five of the General Laws is hereby amended by striking out section one hundred and thirty-nine, as most recently amended by chapter three hundred and thirty-five of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 139.* Any life company may, at the request of the holder thereof, exchange, alter or convert any policy of life or endowment insurance or annuity contract issued by it, hereinafter called the original policy, for or into any policy of life or endowment insurance, hereinafter called the rewritten policy, conforming (a) with the laws in force when the original policy was issued, if the rewritten policy bears the date thereof, or (b) with the laws in force when the rewritten policy is issued, if it bears a then current date; provided, that, if the rewritten policy bears the date of the original policy, the amount of insurance under the rewritten policy shall not exceed the amount of insurance under the original policy, if one of life or endowment insurance, or the amount of insurance which the premium paid for the original policy would have purchased if the rewritten policy had been originally issued, whichever is the greater. Nothing in section one hundred and twenty shall be construed to prohibit the exchange, alteration or conversion of a policy of life or endowment insurance or annuity contract under this section, and sections one hundred and twenty-three and one hundred and thirty shall not apply to a rewritten policy issued under the authority of this section, except that section one hundred and twenty-three shall apply if the original policy is an annuity contract. Nothing in section one hundred and thirty-one or section one hundred and thirty-two shall be construed to prohibit making the application for the original policy, if one of life or endowment insurance, or the application for the rewritten policy issued under authority of this section, or both such applications, a part of the rewritten policy, by endorsing thereon or attaching thereto a copy of either or both such applications. Nothing in said section one hundred and thirty-two shall be construed to prohibit the incorporation, by a rider or endorsement or otherwise, in a rewritten policy issued under authority of this section and bearing a then current date, of a stipulation making the incontestable provision required by said section one hundred and thirty-two operative from the date of issue of the original policy, if one of life or endowment insurance.

Approved May 16, 1946.

AN ACT RELATIVE TO THE TENURE OF OFFICE OF THE CITY
COLLECTOR OF THE CITY OF REVERE AND TO THE MANNER
OF HIS ELECTION AND REMOVAL. *Chap.314*

Be it enacted, etc., as follows:

SECTION 1. The city collector of the city of Revere in office at the time this act takes effect and any person thereafter elected to fill any vacancy existing in such office shall hold office during good behavior and until the city council shall remove him therefrom in accordance with the provisions of chapter thirty-one of the General Laws and the rules made thereunder relative to removals from the classified public service. After this act takes effect, any vacancy in the office of city collector in said city shall be filled by election by its city council.

SECTION 2. This act shall be submitted to the voters of said city at the biennial state election to be held in the current year in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: "Shall an act passed by the general court in the year nineteen hundred and forty-six, entitled 'An Act relative to the Tenure of Office of the City Collector of the City of Revere and to the Manner of his Election and Removal', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall thereupon take full effect, but not otherwise.

YES.	<input type="checkbox"/>
NO.	<input type="checkbox"/>

Approved May 16, 1946.

AN ACT AUTHORIZING THE CITY OF BOSTON TO REFUND TO
THE SOMERSET HOTEL COMPANY OF BOSTON A CERTAIN
ALCOHOLIC BEVERAGES LICENSE FEE. *Chap.315*

Be it enacted, etc., as follows:

SECTION 1. The city of Boston is hereby authorized to refund to Somerset Hotel Company the proportionate amount of the fee paid by it for a license issued to it under section twelve of chapter one hundred and thirty-eight of the General Laws for the year nineteen hundred and forty-five, based on the length of time during which the licensing board for the city of Boston is satisfied that no premises were open for business under authority of said license.

SECTION 2. Said refund by said city shall in no way affect any license issued to said Somerset Hotel Company under section twelve of said chapter one hundred and thirty-eight for years subsequent to nineteen hundred and forty-five.

SECTION 3. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of the city of Boston, approved by the mayor, but not otherwise.

Approved May 16, 1946

*Chap.*316 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO INOCENTIA F. MAGUIRE FOR INJURIES SUSTAINED BY HER AT THE BRIGHTON HIGH SCHOOL IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Boston may pay to Inocentia F. Maguire a sum of money not exceeding one thousand five hundred dollars to reimburse her on account of injuries received by her at the Brighton High School in said city.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter.

Approved May 16, 1946.

*Chap.*317 AN ACT RELATIVE TO THE DATE OF EXPIRATION OF PERMITS FOR OPERATING CERTAIN BOATS UPON THE WATERS OF LAKE BOONE IN THE TOWNS OF STOW AND HUDSON.

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter seven hundred and twelve of the acts of nineteen hundred and forty-one is hereby amended by striking out, in the seventh line, the words "for one year" and inserting in place thereof the words:— until the following December thirty-first, — so as to read as follows:— *Section 6.* No person shall operate a motor boat or boat propelled by other than muscular power upon the waters of said lake unless the owner or person in possession of the boat shall have obtained from the selectmen of the town of Stow, if he resides therein, otherwise from the selectmen of the town of Hudson, a permit to allow said boat to be operated. Such permit shall be in force until the following December thirty-first, and shall be in such form and subject to such conditions and restrictions as may from time to time be prescribed by said commission. The permit shall be at all times in an easily accessible place in the boat when the same is being operated.

SECTION 2. Any provision in section six of chapter seven hundred and twelve of the acts of nineteen hundred and forty-one, as amended by section one of this act, to the contrary notwithstanding, any permit referred to in said section six in force upon the effective date of this act shall, unless sooner revoked or suspended, remain in full force and effect until the termination of the period for which it was issued.

SECTION 3. This act shall take effect upon its passage.

Approved May 17, 1946.

AN ACT RELATIVE TO THE HOURS FOR PLAYING BASEBALL GAMES ON THE LORD'S DAY. *Chap. 318*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to make possible during the current baseball season the playing of certain baseball games on the Lord's day beyond the hour of six thirty post meridian, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and thirty-six of the General Laws is hereby amended by striking out section twenty-one, as most recently amended by chapter one hundred and sixty-nine of the acts of nineteen hundred and thirty-five, and inserting in place thereof the following section:—

G. L. (Ter.
Ed.), 136,
§ 21, etc.,
amended.

Section 21. In any city which accepts sections twenty-one to twenty-five, inclusive, by vote of its city council and in any town which accepts said sections by vote of its inhabitants, it shall be lawful on the Lord's day to take part in or witness any athletic outdoor sport or game, as hereinafter provided, between the hours of one thirty and six thirty post meridian and, in the case of a baseball game, for a further period beyond the hour of six thirty post meridian but only so long as the game can be played without the aid of artificial lighting. In any such city or town, it shall be lawful on the Lord's day to take part in or witness, as hereinafter provided, any indoor hockey game between the hours of one thirty and eleven post meridian or any indoor basketball game between the hours of three and seven post meridian.

Certain sports
and games
permitted on
Lord's day.

SECTION 2. Chapter three hundred and three of the acts of nineteen hundred and forty-three is hereby repealed.

1943, chap.
303, repealed.

Approved May 17, 1946.

AN ACT AUTHORIZING THE ISSUANCE OF ALL ALCOHOLIC BEVERAGES LICENSES TO THE VICTORIA, INC., AND HOTEL BOSTONIAN, INC. *Chap. 319*

Be it enacted, etc., as follows:

The licensing board for the city of Boston is hereby authorized to issue two hotel or restaurant all alcoholic beverages licenses under section twelve of chapter one hundred and thirty-eight of the General Laws, notwithstanding anything to the contrary in section seventeen of said chapter one hundred and thirty-eight, one to The Victoria, Inc., a Massachusetts corporation and the other to Hotel Bostonian, Inc. a Massachusetts corporation; provided, that said corporations shall apply for the same within six months after the effective date of this act. Said licenses shall be

counted as licenses issued and outstanding for the purpose of quota restrictions under said section seventeen of said chapter one hundred and thirty-eight.

Approved May 17, 1946.

Chap.320 AN ACT ESTABLISHING THE THORNDIKE FIRE AND WATER DISTRICT IN THE TOWN OF PALMER.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Palmer, liable to taxation in said town and residing within the territory comprised within the following boundary lines, — to wit: beginning at a point in the center of the highway leading from the village of Thorndike to the village of Three Rivers where said highway crosses the railroad; thence running in a line at right angles to the highway to a point; thence in a line three hundred feet from and parallel to High street to a point; thence southwesterly in a line two hundred feet from and parallel to the northerly line of Harvey street and said line extended to a point; thence turning at right angles and running in a course two hundred feet distant from the end of Harvey street to a point; thence turning and running northeasterly in a line two hundred feet from and parallel to the southerly line of Harvey street to a point; thence turning and running southwesterly in a line three hundred feet from and parallel to the southwesterly line of High street and Palmer road to a point; thence turning at right angles running across Palmer road to a point four hundred feet from the easterly boundary of Palmer road, said crossing of Palmer road being six hundred feet distant from the intersection of the center lines of High street and Church street; thence running northeasterly to a point on the northeasterly side of Center street; thence turning and running three hundred feet from and parallel to the easterly lines of Gay avenue and River street to a point; thence turning and running at right angles crossing River street and the Ware river to its westerly bank, said crossing of River street being two thousand eight hundred feet northerly from the end of Gay avenue; thence turning and running northwesterly to a point in the center line of Pine avenue extended and two hundred feet from the end of said avenue; thence running at right angles to the center line of Pine avenue extended northwesterly two hundred and fifty feet; thence turning and running southwesterly in a line parallel to the northwesterly line of Pine avenue to a point; thence turning and running northwesterly in a line two hundred feet from and parallel to Church street; thence turning and running northeasterly in a line two hundred feet from and parallel to the easterly line of Summer street to a point in the southerly line of the right of way of the Boston and Maine Railroad; thence running by said southerly line of right of way and crossing Summer

street to a point; thence turning and running southwesterly in a line two hundred feet from and parallel to the westerly line of Summer street to a point; thence turning and running northwesterly in a line two hundred feet from and parallel to the northeasterly line of Pleasant street to a point; thence turning at right angles and crossing Pleasant street, said crossing of Pleasant street being distant three thousand one hundred and fifty feet from the intersection of the center lines of Pleasant and Summer streets, thence continuing southwesterly across the Ware river to its southerly bank; thence running westerly by the southerly bank of Ware river to a point; thence turning and running southerly by a line at right angles to the highway to the point of beginning, — shall constitute a water district and are hereby made a body corporate by the name of the Thorndike Fire and Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, including the metropolitan water district acting through the metropolitan district commission, for whatever water may be required, authority to furnish the same being hereby granted, and, subject nevertheless to section fifteen, may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, which are within the town of Palmer and, except in the case of property referred to in said section fifteen, not already appropriated for the purposes of a public water supply, and the water and flowage rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used

without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, stand-pipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Palmer. The district shall not enter upon, or construct or lay any conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine or said chapter eighty A; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, sixty-six thousand dollars,

and may issue bonds or notes therefor, which shall bear on their face the words, Thorndike Fire and Water District Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of said town of Palmer annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it will receive no aid in the extinguishment of fire from the said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 9. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to said district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as

surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The district may adopt by-laws prescribing by whom and how meetings of the district may be called, notified and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. The district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with any other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both.

SECTION 13. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said water commissioners shall cause a duly warned meeting of the district to be called, at which

meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within thirty days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. The district shall have all the rights of fire districts contained in chapter forty-eight of the General Laws not inconsistent with this act and the board of water commissioners established hereunder shall have all the powers and duties conferred upon prudential committees and boards of engineers under said chapter forty-eight.

SECTION 15. Nothing in this act shall authorize the district to supply water for the extinguishment of fires or for domestic or other purposes to the inhabitants of the area served on the effective date of this act by M. William Holden and Julia S. Holden, or their heirs and assigns, without first having acquired by purchase, or by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, as the occasion may arise, all of the properties of said M. William Holden and Julia S. Holden, or their heirs and assigns, on said date appurtenant to the business of water supply and located within the area served by said M. William Holden and Julia S. Holden, or their heirs and assigns. In case of dispute as to the area served by said M. William Holden and Julia S. Holden, or their heirs and assigns, on said date, the department of public utilities, upon application of the district or of said M. William Holden and Julia S. Holden, or their heirs and assigns, shall determine such area and such determination shall be final.

SECTION 16. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within said district by section one of this act present and voting thereon, by the use of a check list, at a district meeting called, in accordance with section eight, within four years after its passage.

Approved May 17, 1946.

Chap. 321 AN ACT FURTHER INCREASING CERTAIN WEEKLY BENEFITS UNDER THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and fifty-two of the General Laws is hereby amended by striking out section thirty-four, as most recently amended by chapter seven hundred and seventeen of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section: — *Section 34.* While the incapacity for work resulting from the injury is total, the insurer shall pay the injured employee a weekly compensation equal to two thirds of his

G. L. (Ter. Ed.), 152, § 34, etc., amended.

Total incapacity.

average weekly wages, but not more than twenty-five dollars nor less than eighteen dollars a week unless the weekly wages of the injured employee are less than eighteen dollars, in which case said weekly compensation shall be equal to his average weekly wages; provided, that the amount does not exceed ten thousand dollars.

SECTION 2. Section thirty-four A of said chapter one hundred and fifty-two, as most recently amended by said chapter seven hundred and seventeen, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:— While the incapacity for work resulting from the injury is both permanent and total the insurer shall pay to the injured employee, following payment of the maximum amount of compensation provided in sections thirty-four and thirty-five, or either of them, a weekly compensation equal to one half of the average weekly wages, but not more than twenty-five dollars nor less than eighteen dollars, during the continuance of such permanent and total incapacity. Application for payments under this section may be made by an injured employee before he has received the maximum compensation to which he is or may be entitled under the aforesaid sections.

G. L. (Ter. Ed.), 152, § 34A, etc., amended.

Payments for permanent and total disability.

SECTION 3. Said chapter one hundred and fifty-two is hereby further amended by striking out section thirty-five, as most recently amended by said chapter seven hundred and seventeen, and inserting in place thereof the following section:— *Section 35.* While the incapacity for work resulting from the injury is partial, the insurer shall pay the injured employee a weekly compensation equal to the entire difference between his average weekly wage before the injury and the average weekly wage he is able to earn thereafter, but not more than twenty-five dollars a week; and the amount of such compensation shall not be more than ten thousand dollars.

G. L. (Ter. Ed.), 152, § 35, etc., amended.

Partial incapacity, amount of payments.

SECTION 4. This act shall apply only in case of personal injuries occurring on or after its effective date.

Application.

Approved May 17, 1946.

AN ACT PROVIDING FOR THE ACQUISITION BY THE CITY OF BOSTON OF THE PROPERTY OF THE DEDHAM AND HYDE PARK GAS AND ELECTRIC LIGHT COMPANY LOCATED WITHIN SAID CITY AND THE LEASE THEREOF TO THE BOSTON CONSOLIDATED GAS COMPANY.

Chap. 322

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, hereinafter referred to as the city, acting through its public works department, and without other authority than that contained in this act, may at any time before January first, nineteen hundred and forty-eight, purchase or take by eminent domain under chapter seventy-nine of the General Laws the property of

the Dedham and Hyde Park Gas and Electric Light Company located within said city.

SECTION 2. The taking or takings by eminent domain authorized herein shall be made and damages therefor determined and paid under and in accordance with said chapter seventy-nine. The city, acting by its transit department, with the approval of the mayor, may make payment for damages for all property taken under authority of this act out of the proceeds of bonds issued by the city under the provisions of section six, but if the amount of the proceeds available from such bonds is insufficient to pay the full amount of such damages, the city shall nevertheless be liable for such damages, irrespective of any legal limit of indebtedness previously provided by law.

SECTION 3. Before acquiring any property under authority of this act, said public works department, in the name and on behalf of the city, shall execute a contract in writing with the Boston Consolidated Gas Company, hereinafter called the company, upon such terms and conditions, not inconsistent with the provisions of this act, as said public works department and the board of directors of the company may agree upon, for the use by the company of the property proposed to be acquired, for such term as may be agreed upon by said public works department and the company. The company shall pay for the use of the premises a rental at the rate of four and one half per cent per annum upon the fair and reasonable value of the property as agreed upon by said public works department and the company, or, in case of difference, as determined by the department of public utilities. In case the company shall be kept out of possession or deprived of the use of the premises, or any part thereof, by any act on the part of the city or of any person or corporation claiming an adverse interest in said property, the rental or a just and reasonable part thereof as agreed upon by said public works department and the company, or, in case of difference, as determined by the department of public utilities, shall be suspended or abated during the time the company is so kept out of possession or deprived of the use of the property, or any part thereof. In case the city shall, during the term of such contract, reimburse the company for capital expenditures upon the property as provided in section four, the amount of such reimbursement shall be added to the fair and reasonable value of the property for the purpose of determining the rental thereafter payable by the company for the use of the property.

SECTION 4. Said contract for use shall require the return of the property to the city at the termination of said use in as good order and condition as at the beginning, and shall provide that the company may from time to time make such alterations, replacements, additions and improvements in and to the property as the company shall deem to be necessary or advisable to put the property in good operating condition; provided, that no such alterations, replacements, additions

or improvements shall be made, except in case of emergency, without the written consent of the said public works department or a certificate from the department of public utilities that the proposed work is reasonably necessary or advisable to put the property in good operating condition. In case of any such alteration, replacement, addition or improvement, the department of public utilities shall on application of the company determine what proportion thereof, if any, constitutes a proper charge against capital, and the city shall thereupon pay the same to the company. If the city shall not make said payments when due, the company shall be entitled to deduct the amount thereof, with interest, from any rental subsequently payable to the city for the use of the property.

SECTION 5. There shall be made, as of the date when the use of the property by the company begins and as of the date when the use terminates, a full and complete inventory, description and valuation of the property by a board of three persons, one appointed by said public works department, one by the company, and the third chosen by the two so appointed or, in case of their failure to agree upon a third person, by the governor. In case the valuation so made as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, shall exceed the valuation at the termination of the use, the company shall pay over to the city an amount equal to such excess, and in case such valuation as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, is less than the amount of the valuation at the termination of the use, the city shall pay over to the company an amount equal to such deficit.

SECTION 6. The treasurer of the city shall from time to time, on request of the transit department, and without further authorization than herein contained, issue and sell at public or private sale bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding the cost of carrying out the provisions of this act. Such bonds shall bear on their face the words, Hyde Park Gas Loan, shall be for such terms, not exceeding forty-five years, as the mayor and treasurer of the city may determine; and shall bear interest, payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premium realized from the sale thereof, shall be used to meet all damages, cost and expenses incurred by said public works department or by the city in carrying out the provisions of this act. The board of commissioners of sinking funds of the city shall establish a sinking fund for the payment of the bonds issued under this act. The proceeds from any sale or sales of property taken, or acquired by purchase or otherwise, under authority of this act shall be used for the same purpose as the rental of said property or shall be used for the payment of expenditures incurred

for the acquisition of said property, as said public works department may determine. All rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall annually be used by the treasurer of the city, first, to meet the requirements of any deficiency in said sinking fund; second, to meet the interest on said bonds; and the surplus, if any, as a part of the general revenue of the city. The city shall have, hold and enjoy in its private or proprietary capacity, for its own property, the property acquired by it under the provisions of this act, and all rents, tolls, income and profits from all contracts entered into by it for the use of said property or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

SECTION 7. In respect to the use and operation of the property, the company shall have all the powers and privileges and be subject to all the duties, liabilities, restrictions and provisions set forth in general and special laws now or hereafter in force applicable to it.

SECTION 8. The contract for the use of the property executed in accordance with the authority conferred by this act shall not in any respect impair any right which the commonwealth or the city or any other licensee of the commonwealth may at any time have to take the properties of the company. In the event of such taking, the compensation to be paid to the company shall not be enhanced by reason of such contract, nor shall it be diminished because of the fact that without it properties might be cut off.

SECTION 9. This act shall take full effect upon its acceptance by vote of the city council of the city of Boston, approved by the mayor, and the filing of a certificate evidencing such acceptance with the secretary of the commonwealth. Such action shall be taken within the current year.

Approved May 17, 1946.

*Chap.*323 AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC UTILITIES TO LICENSE THE OPERATION OF CERTAIN MOTOR VEHICLES FOR THE CARRIAGE OF PERSONS FOR HIRE OVER ONE OR MORE ROUTES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The department of public utilities, upon application by any person or corporation holding licenses, in full force and effect, granted by the licensing authorities of the town of Salisbury, the city of Newburyport, the towns of Newbury, Rowley, Ipswich, Topsfield, Danvers, the city of Peabody, the towns of Lynnfield, Saugus, and the cities of Melrose, Malden, Everett and Cambridge, under section one of chapter one hundred and fifty-nine A of the General

Laws, as amended, or under corresponding provisions of earlier laws, covering a route from the Massachusetts-New Hampshire state line in the town of Salisbury to the Boston-Everett boundary line and to the Boston-Cambridge boundary line, may grant to such person or corporation a license to operate motor vehicles for the purpose set forth in said section one over a route or routes within the city of Boston determined by said department, and no further license therefor shall be required. Before granting such license, said department shall give a public hearing upon the application therefor, after due notice to the city council of said city. Said department shall not grant such license unless it finds that public necessity and convenience require that the applicant be allowed to operate motor vehicles over such route or routes. A license granted hereunder by said department shall confer the same rights and shall be subject to the same provisions of law as if granted by the city council of said city under said section one.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1946.

AN ACT CONTINUING IN EFFECT THE TEMPORARY PROVISIONS Chap. 324
REGARDING PAYMENT FOR THE CARE OF INSANE PERSONS
BOARDED OUT BY THE DEPARTMENT OF MENTAL HEALTH.

Whereas, The deferred operation of this act would tend in part to defeat its purpose, which is to make certain that the existing temporary law relative to payments for the care of insane persons boarded out, which ceases to be operative on June thirtieth in the current year, continues in force, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixteen of chapter one hundred and twenty-three of the General Laws, the cost to the commonwealth of the board of patients supported at the public expense and placed at board by the department of mental health or by the superintendents of state institutions under its supervision, under the provisions of said section sixteen, shall not exceed eight dollars a week for each patient.

SECTION 2. In accordance with the pertinent provisions of section seventeen of chapter one hundred and twenty-three of the General Laws the bills for support shall be paid out of any appropriation made for the purpose.

SECTION 3. This act shall take effect on July first in the current year and shall cease to be operative on June thirtieth, nineteen hundred and forty-seven.

Approved May 18, 1946.

Chap.325 AN ACT REVIVING TRAP'S CREEK FISHING COMPANY IN
EDGARTOWN.

Emergency
preamble.

Whereas, The deferred operation of this act would delay the corporation revived thereby in resuming the exercise of its former corporate powers, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Trap's Creek Fishing Company in Edgartown, a corporation dissolved by section one of chapter one hundred and thirty-nine of the acts of nineteen hundred and thirty-two, is hereby revived with the same powers, duties and obligations as if said chapter had not been passed; and all acts and proceedings of the officers and directors of said corporation, acting as such, which would be legal and valid but for the passage of said chapter, are hereby ratified and confirmed.

Approved May 18, 1946.

Chap.326 AN ACT AMENDING THE LAW IN RESPECT TO THE EXCISE
UPON CHARGES FOR MEALS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to make immediately effective certain amendments to the laws relative to the excise on meals removing from such laws certain provisions now productive of a large amount of litigation, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 64B,
§ 1, etc.,
amended.

SECTION 1. Section one of chapter sixty-four B of the General Laws, as amended by section one of chapter six hundred and sixty-three of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the paragraph defining "Taxable charge" and inserting in place thereof the following paragraph:—

Term
"Taxable
charge"
defined.

"Taxable charge", any amount charged for meals wherever furnished within the commonwealth, including cover and other charges, for which the purchaser is charged as a total one dollar or more, except meals furnished by any person or corporation while transporting passengers for hire by air to or from any place within the commonwealth.

G. L. (Ter.
Ed.), 64B,
§ 2, etc.,
amended.

SECTION 2. Said chapter sixty-four B is hereby further amended by striking out section two, as amended by section two of said chapter six hundred and sixty-three, and inserting in place thereof the following section:—*Section 2.* There is hereby levied and there shall be collected and paid a tax equivalent to five per cent of the amount charged for all meals, including cover and other charges, if any, for which the purchaser is charged as a total one dollar or more, wherever furnished within the commonwealth.

Tax on
meals, etc.

The commissioner shall prescribe the method of determining the portion of an entire charge which is applicable to meals in the event that such entire charge is in part for meals and in part for lodging or any other item or service. The excise shall be paid by the taxpayer to the commissioner at the time and in the manner hereinafter provided.

SECTION 3. Said chapter sixty-four B is hereby further amended by striking out section three, as amended by section three of said chapter six hundred and sixty-three, and inserting in place thereof the following section: — *Section 3.* Every taxpayer shall register with the commissioner and pay to him the sum of one dollar, upon receipt of which the commissioner shall issue a numbered identification certificate in such form as he may determine, attesting that such registration has been made. The certificate so issued shall remain in effect so long as the taxpayer is engaged in serving meals for taxable charges and has complied with the provisions of this chapter. No taxpayer shall engage in serving meals for any charge without such registration certificate. Violation of any provision of this section shall be punishable by a fine of not less than two hundred nor more than five hundred dollars.

G. L. (Ter. Ed.), 64B, § 3, etc., amended.

Taxpayers' identification certificates, issuance of, etc.

Penalty.

Approved May 18, 1946.

AN ACT REVISING CERTAIN PROVISIONS OF LAW RELATIVE TO THE USE AND MAINTENANCE OF REVOLVING DOORS, SO CALLED, IN CERTAIN BUILDINGS.

Chap. 327

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately make certain urgently needed changes in the laws relating to safety in buildings and structures, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section twenty-one B of chapter one hundred and forty-three of the General Laws, as most recently amended by section one of chapter seven hundred and twenty-two of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 143, § 21B, etc., amended.

Notwithstanding the foregoing provisions of this section, an inspector may issue a certificate authorizing the installation, maintenance or use of a revolving door as an immediate exit or means of egress to the outside of a building, which certificate shall be posted conspicuously on or near said door; provided, that no such certificate shall be issued unless, between any place of assembly in such building and such door, there exists one or more unobstructed areas of safety, including stairways, exit corridors and similar areas, which are, in the opinion of the inspector, sufficient to accommodate with safety all persons reasonably to be expected to use the same as means of egress or escape from such place of as-

Exception.

sembly or such building, nor unless said door is of a type approved by the inspector. Such revolving door, unless the building existed prior to July first, nineteen hundred and forty-six, and the inspector determines that strict compliance with this requirement is neither practicable nor necessary for the safety of persons using the same, shall be in addition and immediately adjacent to the exit or exits or other means of egress required by the provisions of this chapter. Such certificate shall continue in force and effect only while such door is maintained in a safe and operable condition, as evidenced by the affidavit of the person having control of the same filed with the inspector at least once in every period of three consecutive months. Such person shall be responsible, both civilly and criminally, for any violation of any of the applicable provisions of law relative to the installation, maintenance or use of such door.

G. L. (Ter. Ed.), 143, new § 21C, added.

Certificate to be issued under certain conditions.

SECTION 2. Said chapter one hundred and forty-three is hereby further amended by inserting after section twenty-one B the following section: — *Section 21C.* An inspector may issue a certificate authorizing the installation, maintenance or use of a revolving door as an immediate exit or means of egress to the outside of any building subject to section fifteen or section twenty-one and not subject to section twenty-one B, which certificate shall be posted conspicuously on or near said door. Such revolving door, unless the building existed prior to July first, nineteen hundred and forty-six, and the inspector determines that strict compliance with this requirement is neither practicable nor necessary for the safety of persons using the same, shall be in addition and immediately adjacent to the exit or exits or other means of egress required by the provisions of this chapter. Such certificate shall continue in force and effect only while such door is maintained in a safe and operable condition, as evidenced by the affidavit of the person having control of the same filed with the inspector at least once in every period of three consecutive months.

Approved May 18, 1946.

Chap. 328 AN ACT RELATIVE TO THE USE OF CERTAIN PARK LAND KNOWN AS THE TOWN BEACH ON THE SOUTHERLY SIDE OF SURF DRIVE IN THE TOWN OF FALMOUTH.

Be it enacted, etc., as follows:

SECTION 1. The town of Falmouth is hereby authorized, upon a vote to that effect at any town meeting called for the purpose, to discontinue the use for park purposes of the park land known as the Town Beach, lying on the southerly side of Surf drive between Shore street and Mill road, and thereafter to use and maintain said park land as a town bathing beach or for such other municipal purposes as said town from time to time may determine, and said town may restrict the use of the same to its inhabitants, their guests

and seasonal residents, and may adopt by-laws, not repugnant to law, relative to the use, care, regulation and control of the same for such purposes.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1946.

AN ACT INCREASING THE DEBT LIMIT IN TOWNS.

Chap. 329

Whereas, There is immediate need for the enlargement of the borrowing capacity of certain towns as provided by this act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Emergency
preamble.*

Be it enacted, etc., as follows:

Section ten of chapter forty-four of the General Laws, as most recently amended by section one of chapter twenty-four of the acts of nineteen hundred and thirty-nine, is hereby further amended by striking out, in the fifth line, the word "three" and inserting in place thereof the word: — five, — so as to read as follows: — *Section 10.* Except as otherwise authorized by law, a city shall not authorize indebtedness to an amount exceeding two and one half per cent, and a town shall not authorize indebtedness to an amount exceeding five per cent, on the average of the assessors' valuations of the taxable property for the three preceding years, the valuations being first reduced by the amount of all abatements allowed thereon previous to December thirty-first of the preceding year; provided, that the value of motor vehicles and trailers taxable under chapter sixty A, as determined thereunder, shall be used in determining the valuation of taxable property for the purposes of this section. All debts, except those expressly authorized by law to be incurred outside the debt limit, shall be reckoned in determining its limit of indebtedness under this section. In determining the debt limit for Boston hereunder the provisions of chapter ninety-three of the acts of eighteen hundred and ninety-one and of section one of chapter one hundred and ninety-one of the acts of nineteen hundred and three shall apply. *Approved May 18, 1946.*

*G. L. (Ter.
Ed.), 44,
§ 10, etc.,
amended.*

*Debt
limit.*

AN ACT ESTABLISHING A PERMANENT SPECIAL POLICE FORCE FOR THE TOWN OF WELLESLEY AND SETTING FORTH THE RIGHTS, POWERS AND DUTIES OF THE MEMBERS THEREOF.

Chap. 330

Be it enacted, etc., as follows:

SECTION 1. There is hereby established a permanent special police force for the town of Wellesley, composed of not more than fifty members, all or any of whom may be called into service as police officers of said town by the chief of police or by the selectmen whenever he or they shall determine that the service of police officers in addition to those of the regular police force of said town is required.

No member of the permanent special police force shall be called into service as a police officer while there are members of the regular police force of said town available for service.

Any member of said permanent special police force when called into service may be compensated for his service at the daily rate established for the compensation of regular police officers of said town and shall have all of the powers, duties and rights of said police officers, including the rights of said police officers to compensation for injury or disability incurred in line of duty.

The widow and children of any member of said permanent special police force who is killed, or dies from injuries received, or dies as a natural and proximate result of undergoing a hazard peculiar to his employment, while in the performance of his duty after a call to service shall have the rights and benefits provided by section eighty-nine of chapter thirty-two of the General Laws.

Said permanent special police force and appointments made thereto shall not be subject to the provisions of chapter thirty-one of the General Laws, and no member of said force shall, by reason of his active service under call, become entitled to any retirement benefits.

Any member of said permanent special police force may be removed by the selectmen at any time for any reason satisfactory to them, and members of said force shall wear such uniforms, carry such insignia and equipment and be subject to such rules and regulations as the selectmen may from time to time prescribe.

The members of said permanent special police force shall be available for service in other places on requisition as provided by section ninety-nine of chapter forty-one of the General Laws.

The selectmen of said town of Wellesley may forthwith appoint fifty male residents of said town to said special police force and may thereafter fill such vacancies as may from time to time occur therein.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1946.

Chap. 331 AN ACT FURTHER REGULATING THE DEPOSITING IN BANKS OF FUNDS BELONGING TO, OR DEPOSITED FOR THE BENEFIT OF, PATIENTS OF THE TEWKSBURY STATE HOSPITAL AND INFIRMARY.

Be it enacted, etc., as follows:

Chapter one hundred and twenty-two of the General Laws is hereby amended by striking out section two B, as amended by section twenty-two of chapter three hundred and fifty-one of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section: — *Section 2B.* The superintendent of the Tewksbury state hospital and infirmary may deposit in any bank or trust company

G. L. (Ter. Ed.), 122, § 2B, etc., amended.

Deposits.

within the commonwealth funds belonging to patients and funds deposited by their relatives or friends to be used for their benefit, in an account entitled "Patients' Funds", or the superintendent may, whenever he deems it desirable, deposit such funds in such banks in separate accounts as trustee, in each instance, for the patient.

Approved May 18, 1946.

AN ACT AUTHORIZING THE ANNEXATION TO THE TOWN OF METHUEN OF A PART OF THE CITY OF LAWRENCE. Chap.332

Be it enacted, etc., as follows:

SECTION 1. All that part of the city of Lawrence comprised within the following described lines, to wit:—

Beginning at a point on the easterly line of Broadway at its intersection with the present Lawrence-Methuen boundary line and thirty-three and twenty-six one hundredths feet northeast of a copper bolt in a stone bound at the intersection of the center line of Broadway with the present Lawrence-Methuen boundary line, said boundary line making an angle of ninety-seven degrees, twelve minutes, fifty-six seconds with the center line of said Broadway as determined by the above-mentioned copper bolt and a copper bolt in a stone bound at the intersection of the center lines of Broadway and of Whitman street in Lawrence; thence continuing northeasterly along the afore-mentioned present boundary line a distance of one hundred and eighty one hundredths feet to a point; thence turning with an interior angle of eighty-two degrees, forty-seven minutes, four seconds and running southerly a distance of forty-five and eleven one hundredths feet to a point; thence turning with an interior angle of ninety degrees and no minutes and running westerly a distance of one hundred feet to a point on the easterly line of Broadway; thence turning with an interior angle of ninety degrees and no minutes and running northerly a distance of thirty-two and forty-five one hundredths feet along the easterly line of Broadway to the point of beginning, — is hereby set off from the city of Lawrence and annexed to the town of Methuen.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of the city of Lawrence and by vote of the town meeting members of the town of Methuen, but not otherwise. *Approved May 18, 1946.*

AN ACT INCREASING THE AMOUNT OF THE FEE FOR A NON-RESIDENT CITIZEN'S FUR BUYER'S LICENSE, SO CALLED. Chap.333

Be it enacted, etc., as follows:

Paragraph (2) of section one hundred and three of chapter one hundred and thirty-one of the General Laws, as appearing in section two of chapter five hundred and ninety-nine of the acts of nineteen hundred and forty-one, is hereby

G. L. (Ter. Ed.), 131, § 103, etc., amended.

amended by striking out, in the third line, the word "twenty-five" and inserting in place thereof the words: — one hundred, — so as to read as follows: —

Fee. (2) A citizen of the United States, non-resident in this commonwealth, a "Non-Resident Citizen's Fur Buyer's License" upon payment of a fee of one hundred dollars.

Approved May 18, 1946.

Chap.334 AN ACT PENALIZING THE USE OF CERTAIN FIREARMS FOR HUNTING PURPOSES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 131, new § 101A, added.

Certain firearms and guns prohibited.

Penalty.

Chapter one hundred and thirty-one of the General Laws, as appearing in section two of chapter five hundred and ninety-nine of the acts of nineteen hundred and forty-one, is hereby amended by inserting after section one hundred and one the following section: — *Section 101A.* No person shall use for hunting purposes any type of full-automatic firearm, machine gun or sub-machine gun of any gauge or caliber. Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars.

Approved May 18, 1946.

Chap.335 AN ACT DIRECTING THE COMMISSIONER OF MENTAL HEALTH TO SELL TO THE CITY OF WORCESTER, FOR USE FOR CERTAIN PUBLIC PURPOSES, A CERTAIN PARCEL OF LAND IN SAID CITY.

Be it enacted, etc., as follows:

The commissioner of mental health is hereby authorized and directed to sell and convey, in the name and on behalf of the commonwealth, to the city of Worcester, for the sum of one dollar, a parcel of land located in said city on the Lake Quinsigamond side of Lake avenue, being a portion of the grounds of the Worcester state hospital, said land to be used by said city only for recreational and safety purposes. Said property shall be conveyed by a deed or deeds approved as to form by the attorney general.

Approved May 18, 1946.

Chap.336 AN ACT RELATIVE TO RULES FOR THE CONSTRUCTION, INSTALLATION AND INSPECTION OF STEAM BOILERS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 146, § 2, etc., amended.

SECTION 1. Section two of chapter one hundred and forty-six of the General Laws is hereby amended by striking out the last sentence, as appearing in chapter four hundred and fifty-nine of the acts of nineteen hundred and forty-one, and inserting in place thereof the two following sentences: — Such rules shall be transmitted to the commissioner and be by him filed in the office of the state secretary, and when so filed shall have the force of law. They shall be printed and

shall be furnished, upon request, free of charge, to users, manufacturers and insurers of boilers, and persons licensed under this chapter, and at a charge of twenty-five cents to all other persons requesting them,—so as to read as follows:—

Section 2. The board shall formulate rules for the construction, installation and inspection of steam boilers, and for ascertaining the safe working pressure to be carried therein; prescribe tests, if it deems it necessary, to ascertain the qualities of materials used in the construction of boilers; formulate rules regulating the construction and sizes of safety valves for boilers of different sizes and pressures, the construction, use and location of fusible safety plugs, appliances for indicating the pressure of steam and the level of water in the boiler, and such other appliances as the board may deem necessary to safety in operating steam boilers; and make a standard form of certificate of inspection. The attorney general shall assist the board in framing the rules. Such rules shall be transmitted to the commissioner and be by him filed in the office of the state secretary, and when so filed shall have the force of law. They shall be printed and shall be furnished, upon request, free of charge, to users, manufacturers and insurers of boilers, and persons licensed under this chapter, and at a charge of twenty-five cents to all other persons requesting them.

Rules
affecting
boilers.

SECTION 2. Section four of said chapter one hundred and forty-six, as appearing in the Tercentenary Edition, is hereby further amended by striking out, in the second and third lines, the words "the approval of the same by the governor and council" and inserting in place thereof the words:— their filing as provided in section two,— so as to read as follows:— *Section 4.* Changes in the rules which affect the construction of new boilers shall take effect six months after their filing as provided in section two; provided, that the board may, upon request, permit the application of such change in rules to boilers manufactured or installed during said six months. When a person desires to manufacture a special type of boiler the design of which is not covered by the rules formulated by the board, he shall submit drawings and specifications of such boiler to said board, which, if it approves, shall permit the construction thereof.

G. L. (Ter.
Ed.), 146, § 4,
amended.

Changes
in rules.

Approved May 18, 1946.

AN ACT PROVIDING FOR ADDITIONAL RECREATIONAL FACILITIES FOR CHILDREN AT REVERE BEACH.

Chap. 337

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to provide additional recreational facilities for children at Revere beach in the city of Revere. For said purposes said commission may expend such sums, not exceeding, in the aggregate, two thousand dollars, as may hereafter be appropriated therefor.

Approved May 18, 1946.

*Chap.*338 AN ACT ESTABLISHING A MUNICIPAL LIGHTING COMMISSION
FOR THE CITY OF PEABODY.

Be it enacted, etc., as follows:

SECTION 1. At the first regular city election in the city of Peabody after the acceptance of this act, the voters shall elect a municipal light commission to consist of three citizens of said city, who shall not hold other public office therein, and who shall serve for two, four and six years, respectively, from the first Monday in January, nineteen hundred and forty-eight; and every two years thereafter, the voters shall elect one member for the term of six years. The commission shall select one of its members as chairman, to serve as such during its pleasure. The commission shall have and exercise the powers and be subject to the duties relative to the municipal lighting plant of said city which are now conferred or imposed by law upon the mayor, and shall have in addition all the powers and duties now conferred or imposed by law upon municipal light boards in towns. The members of the commission shall be paid from the receipts of, and annual appropriations for, the municipal lighting plant, such compensation, not exceeding two hundred dollars per annum, as the city council shall from time to time determine. If a vacancy occurs in the municipal light commission by failure to elect or otherwise the city council and the remaining members of the municipal light commission shall meet in joint convention and elect a suitable person to fill the vacancy until the first Monday in January following the next regular city election; and, if there would be a vacancy on said first Monday, it shall be filled at such regular city election for the balance of the unexpired term.

SECTION 2. The commission shall establish the office of manager, and shall fix the salary of such office; and said manager shall not be a member of the commission.

SECTION 3. Except as otherwise provided herein, all provisions of law relative to municipal lighting plants in cities and to the management and conduct thereof shall apply to the city of Peabody.

SECTION 4. This act shall be submitted to the registered voters of the city of Peabody at the biennial state election in the current year in the form of the following question which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the General Court in the year nineteen hundred and forty-six, entitled 'An Act establishing a Municipal Lighting Commission for the City of Peabody', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, then this act shall thereupon take full effect in said city, but not otherwise.

Approved May 18, 1946.

AN ACT RELATIVE TO THE TIME OF MAKING OMITTED ASSESSMENTS OF LOCAL TAXES. Chap. 339

Be it enacted, etc., as follows:

Section seventy-five of chapter fifty-nine of the General Laws, as amended by chapter one hundred and four of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — If the real or personal estate of a person, to an amount not less than one hundred dollars and liable to taxation, has been omitted from the annual assessment of taxes, the assessors shall between December tenth and twentieth following, both inclusive, or at such earlier time as the commissioner may in writing approve, assess such person for such estate.

G. L. (Ter. Ed.), 59, § 75, etc., amended.

Time of making omitted assessments of local taxes.

Approved May 18, 1946.

AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE BOARD OF COMMISSIONERS OF THE MASSACHUSETTS MARITIME ACADEMY, AND AUTHORIZING SAID BOARD TO GRANT CERTAIN DEGREES. Chap. 340

Be it enacted, etc., as follows:

Chapter seventy-four of the General Laws is hereby amended by striking out section forty-nine, as amended by section five of chapter one of the acts of nineteen hundred and forty-two, and inserting in place thereof the two following sections: — *Section 49.* The board of commissioners of the Massachusetts maritime academy shall provide and maintain a nautical school for the instruction of students in the science and practice of navigation, seamanship and marine engineering, accommodations therefor on board a proper vessel or at such other location as the commissioners shall designate, books, stationery, apparatus and supplies needed in the work thereof, and shall appoint and may remove necessary instructors and other employees, determine their compensation, fix the terms upon which students shall be received and instructed therein and discharged therefrom, make all regulations necessary for its management and provide from time to time for cruises.

G. L. (Ter. Ed.), 74, § 49, etc., amended and new § 49A, added.

Commissioners to provide and maintain a nautical school.

Section 49A. The board of commissioners of the Massachusetts maritime academy may grant the degree of Bachelor of Science or other appropriate degrees to any person satisfactorily completing the prescribed course of instruction, provided that said course of instruction has been approved by the board of collegiate authority.

Degree of Bachelor of Science may be granted.

Approved May 18, 1946.

*Chap.*341 AN ACT RELATIVE TO THE OPERATION OF TRAILERS USED EXCLUSIVELY FOR AGRICULTURAL PURPOSES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 90,
§ 19, etc.,
amended.

Carrying
capacity of
motor vehicles.

Section nineteen of chapter ninety of the General Laws, as most recently amended by section four of chapter five hundred and ninety-five of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the last two sentences and inserting in place thereof the four following sentences:— Except as provided in this section and section nine, no trailer having a carrying capacity of more than one thousand pounds, other than a semi-trailer, or a heavy duty platform trailer, or a trailer used solely for the transportation of horses by the owner of such horses under a special permit hereby authorized to be granted to such owner by the department of public works, shall be operated or drawn on the ways of the commonwealth. A trailer having a carrying capacity of not more than two thousand pounds may be operated or drawn upon any way, if such trailer is used exclusively for agricultural purposes, but this provision shall not prevent any trailer, if used exclusively for such purposes, from being operated without registration upon any way in the manner provided in said section nine. A trailer having a carrying capacity of more than a thousand pounds may be operated or drawn upon any way for a distance not exceeding three hundred yards, if such trailer is used for industrial purposes other than agricultural purposes, for the purpose of going from property owned or occupied by the owner of such trailer to other property so owned or occupied. No motor vehicle shall be operated on any way to draw more than one trailer or other vehicle.

Approved May 18, 1946.

*Chap.*342 AN ACT RELATIVE TO THE SERVICE OF PROCESS ON CERTAIN FOREIGN CORPORATIONS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 181,
§ 3, etc.,
amended.

Commissioner
to be ap-
pointed
attorney for
service of
process.

SECTION 1. Section three of chapter one hundred and eighty-one of the General Laws, as amended by section four of chapter four hundred and fifty-nine of the acts of nineteen hundred and forty-three, is hereby further amended by inserting after the word "which" in the second line the words:— does business in this commonwealth or which,— so as to read as follows:— *Section 3.* Every foreign corporation, which does business in this commonwealth or which has a usual place of business in this commonwealth, or owns real property therein without having such a usual place of business, or which is engaged therein, permanently or temporarily, and with or without a usual place of business therein, in the construction, erection, alteration or repair of a building, bridge, railroad, railway or structure of any kind, or in the construction or repair of roads, highways or waterways,

or in any other activity requiring the performance of labor, shall, before doing business in this commonwealth, in writing appoint the commissioner and his successor in office to be its true and lawful attorney upon whom all lawful processes in any action or proceeding against it may be served, and in such writing shall agree that any lawful process against it which is served on said attorney shall be of the same legal force and validity as if served on the corporation, and that the authority shall continue in force so long as any liability remains outstanding against the corporation in this commonwealth. The power of attorney and a copy of the vote authorizing its execution, duly certified and authenticated, shall be filed in the office of the commissioner, and copies certified by him shall be sufficient evidence thereof. Service of such process shall be made by leaving a copy of the process with a fee of two dollars in the hands of the commissioner, or of his deputy or second deputy when acting under section six of chapter fourteen or in the office of the commissioner, and such service shall be sufficient service upon the corporation.

SECTION 2. Section four of said chapter one hundred and eighty-one, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 181, § 4, amended.

In the case of service of process on a corporation which has not complied with section three, or which is not allowed under section six to comply with said section three, the notice herein provided for shall be mailed by the commissioner to the proper address of the corporation which shall be furnished to him by the plaintiff or his attorney.

Notice of service of process to be given by commissioner.

Approved May 18, 1946.

AN ACT AUTHORIZING THE DIVISION OF PARKS AND RECREATION IN THE DEPARTMENT OF CONSERVATION TO ACT IN AN ADVISORY CAPACITY TO MUNICIPALITIES.

Chap. 343

Be it enacted, etc., as follows:

Section eleven of chapter twenty-one of the General Laws, as most recently amended by section nine of chapter four hundred and ninety-one of the acts of nineteen hundred and thirty-nine, is hereby further amended by adding at the end the following sentence: — Upon written request of any city or town that the division advise and consult with it relative to recreational activities the director may himself, or by one or more persons designated by him for the purpose, so consult with and advise such city or town, — so as to read as follows: — *Section 11.* Upon the expiration of the term of office of a director of the division of parks and recreation, his successor may be appointed for three years by the governor, with the advice and consent of the council. The director shall be qualified by training and experience to perform the duties of his office and shall receive such salary,

G. L. (Ter. Ed.), 21, § 11, etc., amended.

Director of the division of parks and recreation.

not exceeding five thousand dollars, as may be fixed by the commissioner, subject to the approval of the governor and council. Except as otherwise provided, the director shall have charge of the development and maintenance of state parks, reservations and recreational areas under the control of the department of conservation, and shall perform such other similar duties as may be imposed upon him by the commissioner. Upon written request of any city or town that the division advise and consult with it relative to recreational activities the director may himself, or by one or more persons designated by him for the purpose, so consult with and advise such city or town. *Approved May 18, 1946.*

Chap.344 AN ACT RELATIVE TO EXPENDITURES FOR THE CARE, MAINTENANCE AND REPAIR OF TUBERCULOSIS HOSPITALS IN CERTAIN COUNTIES.

Emergency
preamble.

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which expenditures by certain counties for tuberculosis hospital purposes would be made without express authorization therefor by the general court, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The county commissioners of the counties hereinafter specified are hereby authorized to expend for the year nineteen hundred and forty-six the sums set forth in this act for the care, maintenance and repair of the county tuberculosis hospitals within their respective counties, and to assess the same in the manner set forth in section eighty-five of chapter one hundred and eleven of the General Laws, as amended. In case of extraordinary or unforeseen emergencies the director of accounts, at the request of the county commissioners of any such county, may authorize expenditures in excess of any particular item; provided, that another item or items of expenditure shall be reduced by an equivalent amount.

BRISTOL COUNTY.

Item	
1. For administration:	
(a) Salaries	\$9,168 00
(b) Other expenses	1,800 00
2. For maintenance and operation:	
(a) Salaries and wages	84,647 00
(b) Other expenses	90,000 00
3. For additions and improvements (in excess of \$1,000)	2,000 00
5. For contributory retirement system	4,382 00
6. For interest	712 16
9. For unpaid bills of previous year	260 00
<hr/>	
For total expenditures	\$192,969 16

WORCESTER COUNTY.	
Item	
1. For administration:	
(a) Salaries	\$20,800 00
(b) Other expenses	3,721 82
2. For maintenance and operation:	
(a) Salaries and wages	154,250 65
(b) Other expenses	114,000 00
3. For additions and improvements (in excess of \$1,000)	54,100 00
5. For contributory retirement system	500 00
6. For interest	1,150 00
	<hr/>
For total expenditures	\$348,522 47
	<i>Approved May 20, 1946.</i>

Chap.345 AN ACT EXTENDING CERTAIN PRIVILEGES UNDER THE CIVIL SERVICE LAW TO RECIPIENTS OF A DISTINGUISHED SERVICE CROSS OR NAVY CROSS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 31, § 22, etc., amended.

Recipients of distinguished service cross or navy cross.

Section twenty-two of chapter thirty-one of the General Laws, as most recently amended by section twenty-nine of chapter two hundred and thirty-eight of the acts of nineteen hundred and thirty-nine, is hereby further amended by adding at the end the following paragraph: —

A person who has received a distinguished service cross or navy cross may, upon the recommendation of the director and with the approval of the commission, be appointed under the same conditions as are provided in this section in the case of a person who has received a medal of honor.

Approved May 20, 1946.

Chap.346 AN ACT RELATIVE TO THE ISSUANCE OF GROUP LIFE INSURANCE POLICIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 133, etc., amended.

Group life insurance defined.

Section one hundred and thirty-three of chapter one hundred and seventy-five of the General Laws, as amended, is hereby further amended by inserting after the word “policy” in the ninth line, as appearing in the Tercentenary Edition, the words: — or for such period longer than one year as may be required by any pension plan under or in connection with which the policy is taken out, — so that clause (a) will read as follows: — (a) not less than fifty employees, with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer or by the employer and employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, or by duration of service in which case no employee shall be excluded if he has been for one year or more in the employ of the person taking out the policy, or for such period longer than one year as may be required by any pension plan under or in connection with which the policy is

taken out, for amounts of insurance based upon some plan precluding individual selection, and for the benefit of persons other than the employer, provided, that when the premium is to be paid by the employer and employees jointly and the benefits of the policy are offered to all eligible employees, not less than seventy-five per cent of such employees may be so insured, or not less than forty per cent if each employee belonging to the insured group has been medically examined and found acceptable for ordinary insurance by an individual policy;

Approved May 20, 1946.

AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO LEASE OR LET THE STATE PIER IN BUZZARDS BAY. *Chap.347*

Be it enacted, etc., as follows:

The department of public works is hereby authorized to lease or let the state pier on the Cape Cod canal in Buzzards bay or any part or parts of such pier to such persons or corporations and under such terms and conditions as said department may deem fit and proper; provided, that such leasing or letting shall be subject to competitive bidding and the rental shall not be less than five thousand dollars per annum.

Approved May 20, 1946.

AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, FOR INTEREST AND DEBT REQUIREMENTS, FOR CERTAIN PERMANENT IMPROVEMENTS, GRANTING A COUNTY TAX FOR SAID COUNTIES, AND FURTHER REGULATING THE SALARIES OF CERTAIN COUNTY OFFICERS AND EMPLOYEES. *Chap.348*

Whereas, The deferred operation of this act would result in unnecessarily extending the period during which county expenditures would be made in anticipation of appropriation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. The following sums are hereby appropriated for the counties hereinafter specified for the year nineteen hundred and forty-six. No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners and with the approval of the director of accounts.

Barnstable County.

Item	
1	For interest on county debt . . . \$365 00
2	For reduction of county debt . . . 7,000 00
3	For salaries of county officers and assistants . . . 30,280 00
4	For clerical assistance in county offices . . . 25,951 00
5	For salaries and expenses of district courts . . . 26,820 00

Item		
6	For salaries of master and keeper, and assistants, and support of prisoners in jail and house of correction	\$60,350 00
7	For criminal costs in superior court	10,788 00
8	For civil expenses in supreme judicial, superior, probate and land courts	7,500 00
10	For transportation and expenses of county and acting commissioners	1,200 00
11	For medical examiners and commitments of insane	2,450 00
12	For auditors, masters and referees	500 00
14	For repairing, furnishing and improving county buildings	23,177 00
15	For care, fuel, lights and supplies in county buildings, other than jail and house of correction	22,775 00
16	For highways, including state highways, bridges and land damages	95,650 00
18	For law library	930 00
19	For training school	500 00
20	For county aid to agriculture	17,554 00
21	For sanatorium	131,910 00
22	For health service	11,921 00
23	For state fire patrol	2,100 00
24	For non-contributory pensions	1,900 00
25	For contributory retirement system	7,430 00
25a	For contributory retirement audit	105 40
26	For miscellaneous and contingent expenses, including insurance	6,050 00
27	For unpaid bills of previous years	750 00
28	For police training school	4,115 00
29	For police radio station	11,500 00
30	For advertising the recreational advantages of the county	5,000 00
31	For reserve fund	10,000 00
33	For post-war rehabilitation fund	25,000 00
	And the county commissioners of Barnstable county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes	\$389,522 27

Berkshire County.

1	For interest on county debt	\$1,000 00
2	For reduction of county debt	20,000 00
3	For salaries of county officers and assistants	37,492 00
4	For clerical assistance in county offices	18,610 00
5	For salaries and expenses of district courts	58,340 00
6	For salaries of master and keeper, and assistants, and support of prisoners in jail and house of correction	47,546 00
7	For criminal costs in superior court	12,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts	12,000 00
10	For transportation and expenses of county and acting commissioners	1,000 00
11	For medical examiners and commitments of insane	6,000 00
12	For auditors, masters and referees	2,000 00
14	For repairing, furnishing and improving county buildings	8,500 00
15	For care, fuel, lights and supplies in county buildings, other than jail and house of correction	22,260 00
16	For highways, including state highways, bridges and land damages	131,000 00

Item

17	For examination of dams	\$200 00
18	For law library	3,502 00
19	For training school	2,000 00
20	For county aid to agriculture	17,038 00
21	For sanatorium	18,673 00
23	For Mount Greylock state reservation	13,025 00
23a	For Mount Everett state reservation	2,200 00
25	For contributory retirement system	8,370 00
25a	For contributory retirement audit	356 84
26	For miscellaneous and contingent expenses, including insurance	6,000 00
27	For unpaid bills of previous years	500 00
30	For advertising the recreational advantages of the county	5,000 00
31	For reserve fund	6,000 00
And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes		\$408,650 96

Bristol County.

1	For interest on county debt	\$3,000 00
2	For reduction of county debt	16,000 00
3	For salaries of county officers and assistants	62,350 00
4	For clerical assistance in county offices	72,436 00
5	For salaries and expenses of district courts	143,813 00
6	For salaries of master and keeper, and assistants, and support of prisoners in jail and house of correction	99,364 00
7	For criminal costs in superior court	65,366 60
8	For civil expenses in supreme judicial, superior, probate and land courts	44,090 00
10	For transportation and expenses of county and acting commissioners	1,500 00
11	For medical examiners and commitments of insane	20,000 00
12	For auditors, masters and referees	3,000 00
13	For building county buildings and purchase of land	530 00
14	For repairing, furnishing and improving county buildings	60,000 00
15	For care, fuel, lights and supplies in county buildings, other than jail and house of correction	80,608 00
16	For highways, including state highways, bridges and land damages	84,200 00
18	For law libraries	10,270 00
19	For training school	7,000 00
20	For agricultural school	157,181 27
24	For non-contributory pensions	9,506 00
25	For contributory retirement system	15,261 76
25a	For contributory retirement audit	854 21
26	For miscellaneous and contingent expenses, including insurance	7,000 00
27	For unpaid bills of previous years	4,500 00
31	For reserve fund	10,000 00
33	For post-war rehabilitation fund	25,000 00
And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes		\$801,672 91

County of Dukes County.

Item		
1	For interest on county debt	\$100 00
2	For reduction of county debt	5,000 00
3	For salaries of county officers and assistants	8,220 00
4	For clerical assistance in county offices	3,000 00
5	For salaries and expenses of district court	7,000 00
6	For salaries of master and keeper, and assistants and support of prisoners in jail and house of cor- rection	3,500 00
7	For criminal costs in superior court	1,500 00
8	For civil expenses in supreme judicial, superior, probate and land courts	1,000 00
10	For transportation and expenses of county and acting commissioners	250 00
11	For medical examiners and commitments of insane	400 00
12	For auditors, masters and referees	100 00
14	For repairing, furnishing and improving county buildings	2,500 00
15	For care, fuel, lights and supplies in county build- ings, other than jail and house of correction	3,500 00
16	For highways, including state highways, bridges and land damages	21,000 00
18	For law library	250 00
20	For county aid to agriculture	1,700 00
23	For Gay Head reservation	3,800 00
25	For contributory retirement system	601 67
25a	For contributory retirement audit	7 64
26	For miscellaneous and contingent expenses, in- cluding insurance	1,700 00
27	For unpaid bills of previous years	1,000 00
29	For Indian burial ground	400 00
30	For advertising the recreational advantages of the county	500 00
31	For reserve fund	1,500 00
32	For county rodent control	3,500 00
	And the county commissioners of Dukes county are hereby authorized to levy as the county tax of said county for the current year, in the man- ner provided by law, the following sum to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes	\$52,006 38

Essex County.

1	For interest on county debt	\$3,500 00
2	For reduction of county debt	52,000 00
3	For salaries of county officers and assistants	77,300 00
4	For clerical assistance in county offices	177,500 00
5	For salaries and expenses of district courts	231,130 00
6	For salaries of masters and keepers, and assistants and support of prisoners in jails and houses of correction	105,600 00
7	For criminal costs in superior courts	75,995 00
8	For civil expenses in supreme judicial, superior, probate and land courts	75,000 00
9	For trial justices	5,500 00
10	For transportation and expenses of county and acting commissioners	1,000 00
11	For medical examiners and commitments of insane	20,000 00
12	For auditors, masters and referees	3,000 00
14	For repairing, furnishing and improving county buildings	19,745 00
15	For care, fuel, lights and supplies in county build- ings, other than jails and houses of correction	105,480 00

Item

16	For highways, including state highways, bridges and land damages	\$268,640 00
18	For law libraries	13,350 00
19	For training school	69,560 00
20	For agricultural school	262,969 00
24	For non-contributory pensions	8,772 30
25	For contributory retirement system	42,758 73
25a	For contributory retirement audit	1,353 64
26	For miscellaneous and contingent expenses, including insurance	12,000 00
27	For unpaid bills of previous years	2,600 00
31	For reserve fund	15,000 00
And the county commissioners of Essex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law the following sum to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes		\$1,250,393 64

Franklin County.

1	For interest on county debt	\$4,112 50
2	For reduction of county debt	15,000 00
3	For salaries of county officers and assistants	23,814 00
4	For clerical assistance in county offices	11,505 00
5	For salaries and expenses of district courts	20,395 00
6	For salaries of master and keeper, and assistants and support of prisoners in jail and house of correction	27,807 00
7	For criminal costs in superior court	8,030 00
8	For civil expenses in supreme judicial, superior, probate and land courts	8,500 00
10	For transportation and expenses of county and acting commissioners	400 00
11	For medical examiners and commitments of insane	2,200 00
12	For auditors, masters and referees	700 00
14	For repairing, furnishing and improving county buildings	3,500 00
15	For care, fuel, lights and supplies in county buildings, other than jail and house of correction	18,229 00
16	For highways, including state highways, bridges and land damages	49,450 00
17	For examination of dams	400 00
18	For law library	3,590 00
19	For training school	200 00
20	For county aid to agriculture	13,897 00
21	For sanatorium	11,203 72
22	For Greenfield health camp	2,000 00
23	For Mount Sugar Loaf state reservation	2,590 00
24	For non-contributory pensions	870 00
25	For contributory retirement system	8,173 15
25a	For contributory retirement audit	22 91
26	For miscellaneous and contingent expenses, including insurance	1,725 00
27	For unpaid bills of previous years	500 00
30	For advertising the recreational advantages of the county	2,500 00
31	For reserve fund	5,000 00
And the county commissioners of Franklin county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes		\$206,581 78

Hampden County.

Item		
1	For interest on county debt	\$5,000 00
2	For reduction of county debt	19,000 00
3	For salaries of county officers and assistants	57,170 00
4	For clerical assistance in county offices	69,955 00
5	For salaries and expenses of district courts	153,185 00
6	For salaries of master and keeper, and assistants and support of prisoners in jail and house of cor- rection	100,033 00
7	For criminal costs in superior court	30,942 00
8	For civil expenses in supreme judicial, superior, probate and land courts	59,120 00
9	For trial justice	2,200 00
10	For transportation and expenses of county and acting commissioners	1,000 00
11	For medical examiners and commitments of insane	18,000 00
12	For auditors, masters and referees	3,000 00
14	For repairing, furnishing and improving county buildings	12,000 00
15	For care, fuel, lights and supplies in county build- ings, other than jail and house of correction	70,123 00
16	For highways, including state highways, bridges and land damages	143,000 00
17	For examination of dams	3,000 00
18	For law library	11,672 00
19	For training school	43,221 00
20	For county aid to agriculture	50,974 60
22	For preventorium	3,000 00
23	For Mount Tom state reservation	13,500 00
24	For non-contributory pensions	9,000 00
25	For contributory retirement system	19,699 15
25a	For contributory retirement audit	927 45
26	For miscellaneous and contingent expenses, in- cluding insurance	7,024 03
27	For unpaid bills of previous years	1,500 00
30	For advertising the recreational advantages of the county	2,500 00
31	For reserve fund	12,000 00
33	For post-war rehabilitation fund	25,000 00
	And the county commissioners of Hampden county are hereby authorized to levy as the county tax of said county for the current year, in the man- ner provided by law, the following sum to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes	\$768,935 86

Hampshire County.

1	For interest on county debt	\$600 00
3	For salaries of county officers and assistants	25,850 00
4	For clerical assistance in county offices	15,950 00
5	For salaries and expenses of district courts	30,300 00
6	For salaries of master and keeper, and assistants and support of prisoners in jail and house of correction	36,800 00
7	For criminal costs in superior court	12,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts	12,000 00
10	For transportation and expenses of county and acting commissioners	500 00
11	For medical examiners and commitments of insane	4,400 00
12	For auditors, masters and referees	1,000 00
14	For repairing, furnishing and improving county buildings	10,000 00

Item

15	For care, fuel, lights and supplies in county buildings, other than jail and house of correction	\$17,000 00
16	For highways, including state highways, bridges and land damages	83,000 00
17	For examination of dams	500 00
18	For law library	2,400 00
20	For county aid to agriculture	19,000 00
21	For sanatorium	47,900 00
21a	For isolation hospital	7,500 00
22	For preventorium	2,000 00
23	For state reservations	2,550 00
24	For non-contributory pensions	6,677 85
25	For contributory retirement system	5,000 00
25a	For contributory retirement audit	530 24
26	For miscellaneous and contingent expenses, including insurance	6,000 00
27	For unpaid bills of previous years	260 00
30	For advertising the recreational advantages of the county	2,500 00
31	For reserve fund	7,500 00
33	For post-war rehabilitation fund	10,000 00
And the county commissioners of Hampshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes		\$304,046 80

Middlesex County.

1	For interest on county debt	\$5,000 00
2	For reduction of county debt	25,000 00
3	For salaries of county officers and assistants	94,250 00
4	For clerical assistance in county offices	317,300 00
5	For salaries and expenses of district courts	451,100 00
6	For salaries of masters and keepers, and assistants, and support of prisoners in jails and houses of correction	300,300 00
7	For criminal costs in superior court	190,850 00
8	For civil expenses in supreme judicial, superior, probate and land courts	169,050 00
9	For trial justices	1,400 00
10	For transportation and expenses of county and acting commissioners	500 00
11	For medical examiners and commitments of insane	42,000 00
12	For auditors, masters and referees	6,000 00
13a	For new barn and appurtenances at Billerica house of correction	32,500 00
13b	For addition to registry of deeds in Cambridge	38,000 00
14	For repairing, furnishing and improving county buildings	72,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction	167,500 00
16	For highways, including state highways, bridges and land damages	401,000 00
18	For law libraries	14,100 00
19	For training school	101,300 00
20	For county aid to agriculture	52,700 00
23	For Walden Pond state reservation	26,400 00
24	For non-contributory pensions	34,000 00
25	For contributory retirement systems	58,900 00
25a	For contributory retirement audit	1,046 41
26	For miscellaneous and contingent expenses, including insurance	10,000 00

Item		
27	For unpaid bills of previous years	\$4,000 00
31	For reserve fund	20,000 00
	And the county commissioners of Middlesex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$2,188,754 31

Norfolk County.

1	For interest on county debt	\$2,500 00
2	For reduction of county debt	70,000 00
3	For salaries of county officers and assistants	47,680 00
4	For clerical assistance in county offices	105,930 00
5	For salaries and expenses of district and municipal courts	169,650 00
6	For salaries of master and keeper, and assistants, and support of prisoners in jail and house of correction	73,560 00
7	For criminal costs in superior court	55,255 00
8	For civil expenses in supreme judicial, superior, probate and land courts	45,270 00
10	For transportation and expenses of county and acting commissioners	750 00
11	For medical examiners and commitments of insane	20,000 00
12	For auditors, masters and referees	2,500 00
14	For repairing, furnishing and improving county buildings	10,000 00
15	For care, fuel, lights and supplies in county buildings, other than jail and house of correction	84,300 00
16	For highways, including state highways, bridges and land damages	75,550 00
18	For law library	2,690 00
19	For training school	6,000 00
20	For agricultural school	132,712 50
24	For non-contributory pensions	7,500 00
25	For contributory retirement systems	20,000 00
25a	For contributory retirement audit	648 50
26	For miscellaneous and contingent expenses, including insurance	10,000 00
27	For unpaid bills of previous years	6,500 00
31	For reserve fund	10,000 00
33	For post-war rehabilitation fund	50,000 00
	And the county commissioners of Norfolk county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes	\$742,516 37

Plymouth County.

1	For interest on county debt	\$3,700 00
2	For reduction of county debt	23,000 00
3	For salaries of county officers and assistants	35,950 00
4	For clerical assistance in county offices	51,425 00
5	For salaries and expenses of district courts	94,570 00
6	For salaries of master and keeper, and assistants, and support of prisoners in jail and house of correction	104,450 00
7	For criminal costs in superior court	40,120 00
8	For civil expenses in supreme judicial, superior, probate and land courts	37,090 00

Item		
10	For transportation and expenses of county and acting commissioners	\$1,200 00
11	For medical examiners and commitments of insane	9,000 00
12	For auditors, masters and referees	3,500 00
14	For repairing, furnishing and improving county buildings	15,000 00
15	For care, fuel, lights and supplies in county buildings, other than jail and house of correction	38,335 00
16	For highways, including state highways, bridges and land damages	142,000 00
17	For examination of dams	1,000 00
18	For law libraries	3,960 00
19	For training school	2,000 00
20	For county aid to agriculture	28,414 00
24	For non-contributory pensions	4,463 00
25	For contributory retirement system	21,500 00
25a	For contributory retirement audit	123 74
26	For miscellaneous and contingent expenses, including insurance	4,500 00
27	For unpaid bills of previous years	1,000 00
31	For reserve fund	10,000 00
And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		\$577,764 70

Worcester County.

1	For interest on county debt	\$2,200 00
3	For salaries of county officers and assistants	72,820 00
4	For clerical assistance in county offices	122,000 00
5	For salaries and expenses of district courts	203,800 00
6	For salaries of master and keeper, and assistants, and support of prisoners in jail and house of correction	126,100 00
7	For criminal costs in superior court	70,560 00
8	For civil expenses in supreme judicial, superior, probate and land courts	88,200 00
9	For trial justices	1,115 00
10	For transportation and expenses of county and acting commissioners	2,400 00
11	For medical examiners and commitments of insane	22,000 00
12	For auditors, masters and referees	4,000 00
13	For building county buildings	5,000 00
14	For repairing, furnishing and improving county buildings	38,300 00
15	For care, fuel, lights and supplies in county buildings, other than jail and house of correction	88,600 00
16	For highways, including state highways, bridges and land damages	338,500 00
18	For law libraries	18,120 00
19	For training school	50,200 00
20	For county aid to agriculture	46,950 00
22	For preventoria	3,000 00
23	For Mount Wachusett State reservation	18,390 00
23a	For Purgatory Chasm State reservation	6,240 00
24	For non-contributory pensions	15,000 00
25	For contributory retirement systems	44,200 00
25a	For contributory retirement audit	565 21
26	For miscellaneous and contingent expenses, including insurance	11,600 00
27	For unpaid bills of previous years	4,000 00

Item		
31	For reserve fund	\$12,500 00
33	For post-war rehabilitation fund	35,000 00
	And the county commissioners of Worcester county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the following sum, to be expended together with the cash balance on hand and the receipts from other sources, for the above purposes	\$1,110,334 41

SECTION 2. No expense incurred for mid-day meals by county employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by any county; provided, that officers or employees who have charge of juries or who have the care and custody of prisoners, insane persons or other persons placed in their charge by a court or under legal proceedings for transfer to or from court to an institution or from institution to institution and persons certified by a district attorney as engaged in investigation shall be reimbursed for the expense of mid-day meals when necessarily engaged on such duty; and provided, further, that officers and employees in attendance at meetings and conferences called by or for any group or class on a state-wide basis shall be so reimbursed.

SECTION 3. The allowance to county employees for expenses incurred by them in the operation of motor vehicles owned by them or by any member of their immediate families and used in the performance of their official duties shall not exceed five and one half cents a mile except in cases where a higher allowance is specifically provided by statute; provided, that in the case of insane commitments the justice of the court ordering the commitment may order a higher rate.

SECTION 4. The salary of a justice, special justice, clerk, assistant clerk, or probation officer of a district court, a probation officer of the superior court, a trial justice, or a county commissioner, is hereby increased by an amount equal to twenty per cent thereof but not to exceed four hundred and twenty dollars per annum and by an additional one hundred and fifty dollars per annum, to be effective on and after July first, nineteen hundred and forty-six. Such salary as so increased shall be deemed to be the regular compensation of any such officer or employee now or hereafter in the service of any county. This section shall not apply to the clerk and the assistant clerks of the central district court of Worcester, or to officers or employees of the county of Suffolk, but shall apply to officers or employees of the county of Nantucket.

Approved May 21, 1946.

AN ACT TO PROVIDE FOR THE USE OF THE BUILDINGS ON THE STATE ARSENAL PROPERTY IN FRAMINGHAM FOR THE HOUSING OF VETERANS. Chap. 349

Whereas, An acute shortage of housing exists in Framingham and many of the neighboring cities and towns of the commonwealth and on account of such shortage many veterans of World War II are unable to obtain shelter for themselves and their families, and this shortage is likely to continue for a substantial period of time; and inability to obtain adequate shelter will cause suffering and disease among such veterans and their families unless such shortage is relieved at once, therefore this act is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. For a period of five years after the effective date of this act, and until other provision is made by the general court, the right to use and occupy so much of the land belonging to the commonwealth and situated in the town of Framingham, known as the State Arsenal property and leased by the commonwealth to the United States of America by indenture dated June twentieth, nineteen hundred and forty-two, for a term which has now expired, as is determined under section two of this act, shall be vested in the town of Framingham, and all the right, title and interest of the commonwealth in the buildings standing on said land shall be transferred to said town of Framingham, to be used for the purposes and subject to the conditions set forth in this act.

SECTION 2. The amount of such land to which section one shall relate shall be determined by agreement between the adjutant general and the chairman of the state board of housing, and shall include all of such land upon which buildings erected by the United States of America during the term of said indenture of lease were standing at the expiration thereof, which are not required for uses under the direction and control of the adjutant general, with adequate space for light and air around each building; provided, that, notwithstanding the foregoing, no part of so much of such land referred to in chapter three hundred and eighty-one of the acts of nineteen hundred and thirty-nine and chapter four hundred and sixty-three of the acts of nineteen hundred and forty-one, or either of said acts, shall be subject to any provision of this act, nor shall any provision of this act be deemed to authorize the continued existence upon any portion of said last mentioned land of any such building or portion thereof existing thereon on the effective date of this act. A description of the land the amount of which is so determined and agreed upon, signed by the adjutant general and the chairman of the state board of housing, and a plan

thereof, shall be deposited with the state secretary and kept on file in his office.

SECTION 3. The town of Framingham shall cause the buildings transferred to it by this act, or such of them as in its opinion may advantageously be used for the purposes hereinafter set forth, to be converted into dwelling units for one or more families each and, for a period of five years after the effective date of this act, such buildings shall be leased to veterans of World War II. For the purposes of this act the word "veteran" shall be taken to mean a man or woman who served in the army or navy of the United States at any time on or after December seventh, nineteen hundred and forty-one, and before the conclusion of World War II and has been separated therefrom under conditions other than dishonorable. The term shall also include the widow and the mother of a man who so served and who died while in such service and the wife of a man who is still serving in said army or navy.

SECTION 4. For the purpose of defraying the expense of said conversion said town of Framingham may enter into an agreement with the United States of America or with any appropriate federal agency and may receive grants or gifts from the United States government, or from any federal agency, the commonwealth or any person or corporation, of money, materials, furniture, equipment or other property, or services, and may co-operate with the United States government, or any federal agency, or any person or corporation, in carrying out the provisions of this act, as a joint enterprise or in any other manner. In connection with any agreement with the United States of America, or any federal agency, said town of Framingham may obligate itself by contract with respect to the operation, maintenance, occupation, rental and final disposition of said buildings, and of the payments received from the rentals derived therefrom not inconsistent with the provisions of this act.

SECTION 5. For defraying the expense of converting and equipping said buildings for the purposes set forth in this act not fully met under the provisions of section four, and for maintaining said buildings, the town of Framingham may raise and appropriate from time to time such sums as may be necessary. If a housing authority shall have been created in the town of Framingham pursuant to section twenty-six L of chapter one hundred and twenty-one of the General Laws, the town of Framingham shall use said authority as its agent in carrying out the provisions of this act and all moneys appropriated under this act or received by said town for the purposes of this act from any source shall be paid to the treasurer of said authority and shall be disbursed by him subject to section twenty-six EE of chapter one hundred and twenty-one of the General Laws. All amounts received by said Framingham Housing Authority as rents from the occupants of said buildings shall be disbursed by the treasurer of said authority for maintenance

and other expenses, subject to any contractual obligations to the United States of America or any federal agency. The town of Framingham may incur debt to meet the appropriations voted for carrying out this act. Each authorized issue shall constitute a separate loan and such loans shall be due and payable in not more than five years from their dates. Indebtedness incurred under this act shall be outside the statutory limit and, except as provided herein, be subject to the applicable provisions of chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof; provided, that the total amount of indebtedness under this act outstanding at any time shall not exceed one per cent on the average of the assessors' valuation of its taxable property for the three preceding years, reduced and otherwise determined as provided in section ten of said chapter forty-four.

SECTION 6. In allotting the dwelling units, veterans who are inhabitants of the town of Framingham shall have preference. If said town shall have expended funds raised and appropriated by it from the tax levy or from loans on converting and equipping said dwelling units, no veteran who is an inhabitant of any city or town other than the town of Framingham shall be accepted as a tenant unless the mayor of the city or the selectmen of the town of which such veteran is an inhabitant shall agree in writing on behalf of such city or town with the town of Framingham that such city or town will reimburse the town of Framingham for a proportionate part of the cost incurred by it in converting and equipping said buildings as dwelling units. Such an agreement shall be binding and valid and a city or town on behalf of which such an agreement has been made is authorized to raise and appropriate sufficient amount to carry out such agreement. If the amount due under such an agreement is not paid, it may be recovered by the town of Framingham in an action of contract.

SECTION 7. No contract shall be entered into by the town of Framingham, or by the Framingham Housing Authority, with the United States of America, or with any federal agency, under this act without the approval of the state board of housing, and no appropriation made or debt incurred by the town of Framingham under this act shall be valid unless approved by the state board of housing. The Framingham Housing Authority, if such an authority shall have been created, otherwise the selectmen of the town of Framingham, shall determine in the first instance reasonable rents to be charged to veterans for the occupancy of the dwelling units transferred to it under this act. Any person aggrieved by the determination of reasonable rents under this section may appeal from such determination within ten days after it has been made to the state board of housing; and the decision of such board on questions of fact shall be final.

SECTION 8. The buildings transferred under this act may be converted and used, maintained and occupied, as pro-

vided herein, notwithstanding any statute or by-law or regulation of the town of Framingham relating to town planning, the subdivision and use of land, and the construction, repair, maintenance and use of buildings, provided that such variance from the requirements of such statutes, by-laws and regulations is approved by the state board of housing. The board of health of such town, if it finds that the attendant sanitary conditions are such that the buildings may be occupied as provided herein without endangering the health of the public or of the occupants of such buildings, although all of the statutes, by-laws and regulations relating to the protection of the public health may not be complied with, may authorize under such conditions as it may impose, a variance from the requirements of such statutes, by-laws and regulations. Such buildings while owned by said town of Framingham shall be subject to taxation in the town of Framingham in the same manner and to the same extent as other real estate, but the land on which they stand shall remain exempt from taxation. Nothing herein shall prevent an agreement for a payment and payment in lieu of taxes on said land.

SECTION 9. If after a reasonable time has elapsed the conversion of said buildings under this act has not been begun, or is not being completed with reasonable dispatch, or the use and occupation of the buildings under this act has not been begun, or has ceased, the state board of housing shall order the project discontinued and the use and occupation of the land on which the buildings stand restored to the adjutant general, and such disposition made of the buildings as is required by contract with the United States of America or with any federal agency, or in the absence of such requirement as is in the public interest. *Approved May 21, 1946.*

Chap.350 AN ACT AUTHORIZING THE CITY OF WORCESTER TO BORROW MONEY FOR THE PURPOSE OF ACQUIRING A SITE AND CONSTRUCTING AND EQUIPPING A PUBLIC LIBRARY BUILDING.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of acquiring land for and constructing a public library and originally equipping and furnishing said building, the city of Worcester may borrow from time to time, within a period of ten years from passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one million five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Worcester Public Library Building Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates, but no loan shall be authorized under this act unless a sum equal to an amount not less than ten per cent of the loan so authorized is voted for the same purpose to be provided from taxes or other

available funds in the year when authorized. Indebtedness incurred under this act shall be in excess of the amount authorized by chapter two hundred and eleven of the Special Acts of nineteen hundred and sixteen, as amended by chapter one hundred and thirty-eight of the acts of nineteen hundred and twenty, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the first paragraph of section seven of said chapter.

SECTION 2. This act shall take effect upon its passage.

Approved May 21, 1946.

AN ACT RELATIVE TO ADMISSION OF PATIENTS TO THE MIDDLESEX COUNTY SANATORIUM FOR TREATMENT OF DISEASE OF THE LUNGS OTHER THAN PULMONARY TUBERCULOSIS. Chap.351

Be it enacted, etc., as follows:

SECTION 1. Whenever accommodations are available at the Middlesex County Sanatorium residents of the hospital district of said sanatorium may be admitted for treatment of any disease of the lungs other than pulmonary tuberculosis. Such patients shall be admitted through applications of the boards of health or departments of public welfare of the towns served by said sanatorium under rates, rules and regulations established by the trustees of said sanatorium.

SECTION 2. This act shall take full effect upon its acceptance during the current year by the county commissioners of Middlesex county, but not otherwise.

Approved May 21, 1946.

AN ACT RELATIVE TO THE HOLDING OF PROPERTY BY THE MASSACHUSETTS STATE COLLEGE BUILDING ASSOCIATION AND THE LEASING OF CERTAIN STATE LAND TO SAID CORPORATION. Chap.352

Be it enacted, etc., as follows:

SECTION 1. Massachusetts State College Building Association, incorporated by section one of chapter three hundred and eighty-eight of the acts of nineteen hundred and thirty-nine, is hereby authorized to hold, for the purposes set forth in said chapter, real and personal estate to an amount not exceeding four hundred thousand dollars, in addition to the amount of real and personal estate which may be held by said corporation under authority of said chapter and of chapter three hundred and ninety of the acts of nineteen hundred and forty-five.

SECTION 2. The trustees of the Massachusetts state college may, in the name of and for the commonwealth, lease to said corporation eight acres of land in Amherst or Hadley owned by the commonwealth, for the erection and maintenance of dormitories, commons and other buildings for the use of said college or its students. The land hereby authorized to be leased to said corporation shall be

in addition to that authorized to be leased by section six of said chapter three hundred and eighty-eight and by section two of said chapter three hundred and ninety, but nothing in this section shall be construed as limiting or restricting the powers conferred upon said trustees by said section six with respect to the leasing of lands by them to said corporation.

Approved May 21, 1946.

Chap. 353 AN ACT RELATIVE TO REGULATING FEES TO BE CHARGED BY THE LAND COURT, THE REGISTRIES OF DEEDS AND THE REGISTRY DISTRICTS OF THE LAND COURT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 262, § 38, etc., amended.

Fees to be paid for recording, filing or deposit of an instrument.

SECTION 1. Chapter two hundred and sixty-two of the General Laws is hereby amended by striking out section thirty-eight, as most recently amended by section two of chapter five hundred and sixty-nine of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:—*Section 38.* The fees of registers of deeds, except as otherwise provided, to be paid when the instrument is left for recording, filing or deposit, shall be as follows:—

For entering and recording any paper, certifying the same on the original, and indexing it, and for all other duties pertaining thereto, except when a marginal reference or references are required, one dollar and fifty cents. If the paper contains more than one page, at the rate of sixty cents for each page after the first; provided, that if the paper contains the names of more than two parties thereto, other than the husband and wife of the grantor or grantee, an additional fee of twenty-five cents each shall be charged for indexing the names of additional grantors or grantees or other parties thereto. The minimum fee for recording a deed or conveyance or a mortgage shall be three dollars.

For all copies except photostat copies, at the rate of sixty cents a legal page of two hundred and twenty-four words. For photostat copies of all instruments, except copies of plans, at the rate of forty cents a page.

For recording and filing a plan, of a size not over fourteen inches by nine and a half inches, one dollar and fifty cents. For larger sizes, not less than three dollars.

For entering an attachment or an execution, for each defendant named, one dollar.

For entering a discharge or a partial release of an attachment, seventy-five cents.

For entering in the margin a discharge of a mortgage, seventy-five cents.

For entering an instrument of taking of land for non-payment of taxes, one dollar.

For entering a discharge of an attachment or of a lien on a building or land, seventy-five cents for each defendant named.

For entering any marginal references when required, twenty-five cents.

SECTION 2. Said chapter two hundred and sixty-two is hereby further amended by striking out section thirty-nine, as most recently amended by chapter five hundred and twenty-two of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section: — *Section 39.* The fees payable under chapter one hundred and eighty-five shall be as follows: —

For the entry of every original petition or writ and transmitting it to the recorder, when filed with an assistant recorder, five dollars.

For every plan filed in an original proceeding, seventy-five cents, and for every new plan filed after original registration or for making a new plan on request of a registered owner, five dollars. The filing fee in a registry of deeds upon receipt from the recorder of the land court of a plan or copy of a plan shall be one dollar.

For indexing an instrument recorded while a petition for registration is pending, twenty-five cents.

For examining title, on a petition to register land, or on a petition to register easements or rights in land, the actual amount charged or allowed therefor to the examiner by the court.

For each notice by mail, thirty-five cents and the actual cost of printing.

For all services by a sheriff or deputy sheriff under provisions of chapter one hundred and eighty-five, the same fees as are provided by law for like services.

For each notice by publication, thirty-five cents and the actual cost of publication.

For entry of an order dismissing a petition for registration of title, or for foreclosure of a tax title, or a decree of foreclosure of a tax title or of redemption, and sending a memorandum to the assistant recorder, one dollar.

For entry of a decree of registration and sending a memorandum to the assistant recorder, one quarter of one per cent of the assessed value of the property registered, on the basis of the last assessment for municipal taxation, in addition to any sum payable under section ninety-nine of chapter one hundred and eighty-five, but in no one proceeding shall the amount payable under this paragraph be less than ten nor more than one thousand dollars.

For a copy of a decree of registration, foreclosure or redemption, one dollar.

For the entry of an original certificate of title and issuing one duplicate, five dollars.

For making and entering a new certificate of title, including issue of one duplicate, two dollars.

For each additional duplicate certificate after the first, one dollar.

For making and attesting copy of memorandum on each additional instrument or duplicate certificate if required, seventy-five cents.

For filing and registering an adverse claim, three dollars.

For entering statement of change of residence or postoffice address, including endorsing and attesting it on a duplicate certificate, one dollar.

For entering any note in the entry book or in the registration book, one dollar.

For the registration of a suggestion of death or notice of issue of a warrant in insolvency or of adjudication of bankruptcy, one dollar.

For the registration of a partial release, discharge or release of a mortgage or other instrument creating an encumbrance, or of an assignment or extension of a mortgage, or of a power of attorney, one dollar.

For the registration of a memorandum or certificate of entry for possession or deposition in proof thereof, one dollar.

For the registration of any levy, or of any discharge or dissolution of any attachment or levy, or of any certificate of or receipt for payment of taxes, or of a notice of any mechanic's lien or lien for labor or materials, or a notice of any pending action or of a judgment or decree, one dollar.

For endorsing on any mortgage, lease or other instrument a memorandum of partition, one dollar.

For every petition after the original registration, one dollar.

For a certified copy of any decree or registered instrument, the same fees as are provided for registers of deeds.

For entering an instrument of taking of land for non-payment of taxes, one dollar.

For the registration of all other instruments, whether single or in duplicate or triplicate, including entering, indexing and filing it and attesting the registration thereof, and also making and attesting a copy of memorandum on one instrument or on a duplicate certificate when required, two dollars.

Approved May 21, 1946.

Chap.354 AN ACT AUTHORIZING THE TOWN OF SHERBORN TO USE CERTAIN PLAYGROUND PROPERTY FOR FIRE STATION PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Sherborn, notwithstanding any limitation contained in chapter forty-five of the General Laws, may use for fire station purposes such portion of the park land located on Main street in said town and known as the town playground as the selectmen may determine.

SECTION 2. This act shall take effect upon its passage.

Approved May 22, 1946.

AN ACT AUTHORIZING THE TOWN OF CUMMINGTON TO BORROW FOR SCHOOL PURPOSES. *Chap.355*

Be it enacted, etc., as follows:

SECTION 1. For the purposes of acquiring land for and constructing a school building and originally equipping and furnishing the same, the town of Cummington may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, twenty-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Cummington School Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 22, 1946.

AN ACT AUTHORIZING THE TOWN OF WELLESLEY TO PAY A SUM OF MONEY TO DAVID A. GALLERY OF SAID TOWN. *Chap.356*

Be it enacted, etc., as follows:

SECTION 1. The town of Wellesley may, subject to approval by vote of the town, which vote may be taken prior to the effective date of this act, pay to David A. Gallery of said town a sum not exceeding two thousand dollars to reimburse him for money expended for counsel fees and costs in connection with his appeal to the district court of northern Norfolk from the action of the selectmen of said town in removing him from the office of police sergeant therein and in connection with certiorari proceedings in the superior court in relation to the action of said district court in ordering his reinstatement, notwithstanding any statute or by-law to the contrary. Any appropriation voted by said town for the purposes of this act prior to its effective date shall be valid to the same extent as if it were voted on or after said date.

SECTION 2. This act shall take full effect upon its acceptance by vote of the selectmen of the town of Wellesley.

Approved May 22, 1946.

AN ACT RELATIVE TO THE EDUCATION OF CERTAIN PHYSICALLY HANDICAPPED CHILDREN. *Chap.357*

Be it enacted, etc., as follows:

Chapter seventy-one of the General Laws is hereby amended by striking out section forty-six A, as most recently amended by chapter five hundred and thirty-four of

G. L. (Ter. Ed.), 71, § 46A, etc., amended.

Instruction
of physically
handicapped
children in
their homes,
etc.

the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 46A.* The school committee of every town shall annually ascertain, under regulations prescribed by the department, after consultation with the commissioners of public health and public welfare, the number of children of school age and resident therein who are physically handicapped. In any town where there is a child of school age resident therein so physically handicapped as to make attendance at a public school not feasible, and who is not otherwise provided for, the school committee shall employ a teacher or teachers, on full or part time, who shall, with the approval in each case of the departments of education and public health, offer instruction to each such child in his home or at such place and under such conditions as the committee may arrange.

In any town where there is a child of school age resident therein physically able to attend school but whose hearing, vision or speech is impaired or who is otherwise physically handicapped to such an extent as to prevent normal educational growth and development, such child shall be given that type of training recommended by the state department of education.

If a town furnishing instruction under this section to a child confined in a hospital, sanatorium or similar institution located therein is not the legal residence of the parent or guardian of such child, the town where such parent or guardian has a legal residence shall pay tuition to the town furnishing such instruction. Said tuition shall be computed at the regular rate established for non-resident pupils by the school committee of the town furnishing the instruction, filed with and approved by the department.

Approved May 22, 1946.

Chap. 358 AN ACT AMENDING THE LAWS GOVERNING CITIES, TOWNS AND DISTRICTS IN RESPECT TO FINANCES AND OTHER RELATED MATTERS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 40, § 4,
etc., amended.

SECTION 1. Section four of chapter forty of the General Laws, as amended, is hereby further amended by adding at the end the following paragraph:—

Municipal
power to
contract.

For lighting public highways and public grounds for a period not exceeding ten years.

G. L. (Ter.
Ed.), 40, § 5,
etc., amended.

SECTION 2. Clause (1) of section five of said chapter forty, as most recently amended by section two of chapter three hundred and ninety-one of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the following:—, or to pay a proper charge to prevent loss by reason of destruction or damage of buildings or personal property by fire or other causes normally covered by fire insurance policies issued in the commonwealth.

G. L. (Ter.
Ed.), 40, § 5,
further
amended.

SECTION 3. Said section five is hereby further amended by striking out clause (11), as appearing in the Tercentenary

Edition, and inserting in place thereof the following clause:—

(11) For necessary aid to soldiers and sailors and their families, and to the families of deceased soldiers and sailors.

Power to make appropriations.

SECTION 4. Said section five is hereby further amended by inserting after clause (16) the following clause:—

G. L. (Ter. Ed.), 40, § 5, further amended.

(16A) For the employment of legal counsel for general purposes.

Same subject.

SECTION 5. Clause (20) of said section five, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the last line, the word "selectmen" and inserting in place thereof the word:— town, — so as to read as follows:—

G. L. (Ter. Ed.), 40, § 5, further amended.

(20) For the erection and maintenance of a hospital for the reception of persons requiring relief during temporary sickness. Such hospitals shall be managed by trustees or other officers and agents appointed in accordance with ordinances, rules or regulations made by the city council or the town.

Same subject.

SECTION 6. Said section five is hereby further amended by inserting after clause (25) the following clause:—

G. L. (Ter. Ed.), 40, § 5, further amended.

(25A) For the maintenance and supervision of beaches and swimming pools for recreation and physical exercise.

Same subject.

SECTION 7. Clause (26) of said section five, as appearing in the Tercentenary Edition, is hereby amended by striking out all after the word "celebrations",— so as to read as follows:—

G. L. (Ter. Ed.), 40, § 5, further amended.

(26) For public band concerts, or for music furnished for public celebrations.

Same subject.

SECTION 8. Said section five is hereby further amended by striking out clause (27), as appearing in the Tercentenary Edition, and inserting in place thereof the following clause:—

G. L. (Ter. Ed.), 40, § 5, further amended.

(27) For the celebration of the fourth of July, for the celebration of the return of veterans, or for the observance of an old home week or day, to take place during any week or upon any day of the year in which the appropriation is made, during which the town may conduct appropriate celebrations in honor of returning residents and other invited guests and hold exercises of historic interest; and, by a two thirds vote, for the celebration of the anniversary of its settlement or of its incorporation at the end of a period of fifty, or of any multiple of fifty, years therefrom, and for publishing the proceedings thereof. Money may be appropriated for the celebration of such anniversary not earlier than two years prior to such celebration. If there is any question as to the date of the settlement, the date shall be determined by the selectmen, subject to the approval of the voters. The celebration of the anniversary may be held at any time during the year.

Same subject.

SECTION 9. Said section five is hereby further amended by striking out clause (33), as so appearing, and inserting in place thereof the following clause:—

G. L. (Ter. Ed.), 40, § 5, further amended.

(33) For acquiring land, or for the lease thereof for a period of not more than five years, for public parking places and maintaining the same.

Same subject.

G. L. (Ter.
Ed.), 44, § 1,
amended.

SECTION 10. Section one of chapter forty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the paragraph defining "Revenue" and inserting in place thereof the following paragraph: —

"Revenue"
defined.

"Revenue", receipts from (1) the exercise of governmental power of taxation and police control; (2) donations, gifts, grants and subvention for governmental use; (3) performing services for compensation and from the operation or management of productive enterprises, investments and properties of government. Receipts from the sale or disposal of capital assets, loans, refunds and various temporary transactions are in the nature of non-revenue.

G. L. (Ter.
Ed.), 44, § 2,
etc., amended.

SECTION 11. Section two of said chapter forty-four, as amended by section four of chapter two hundred and twenty-four of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the second line, the words "and towns" and inserting in place thereof the words: —

Municipal
indebtedness
regulated.

, towns and districts, — so as to read as follows: — *Section 2.* Except as otherwise expressly permitted by law, cities, towns and districts shall incur debts only in the manner of voting and within the limitations as to amount and time of payment prescribed in this chapter; but this section shall not be construed as prohibiting any city, town or district from placing additional restrictions, consistent with this chapter, upon the manner of incurring debt, nor as affecting the right of any city, town or district to incur debt under any special act which has or shall become effective after January first, nineteen hundred and twenty-one, or at any time in the case of debt of the city of Boston for tunnel or transit purposes; but no debt may be authorized under a special act except by a two thirds vote, unless the act so provides. All provisions of law providing for sinking funds for the payment of debt of the city of Boston incurred for transit or tunnel purposes shall continue to be applicable to said debt.

G. L. (Ter.
Ed.), 44, § 4,
etc., amended.

SECTION 12. Section four of said chapter forty-four, as most recently amended by chapter sixteen of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "purposes", in the thirteenth line, the words: — ; and for districts shall not exceed the receipts from taxes, rates and services of the preceding year, and for newly established districts an amount as fixed by vote of the district, — so as to read as follows: — *Section 4.* Cities, towns and fire, water, light and improvement districts may, by a majority vote, incur debt for temporary loans in anticipation of the revenue of the financial year in which the debt is incurred, and may issue notes therefor to an amount which for cities and towns shall not exceed in the aggregate the total tax levy of the preceding financial year, together with the corporation and income tax received during the preceding financial year, exclusive of special or additional assessments or revenue from any other source except payments made by the commonwealth in lieu of taxes on

Temporary
loans by
cities, towns,
etc.

account of property taken for institutions or for metropolitan district purposes; and for districts shall not exceed the receipts from taxes, rates and services of the preceding year, and for newly established districts an amount as fixed by vote of the district. Such notes shall be payable, and shall be paid, not later than one year from their date, and shall not be renewed or paid by the issue of new notes, except as provided in section seventeen.

SECTION 13. The first paragraph of section seven of said chapter forty-four, as amended, is hereby further amended by inserting after the word "year", in the ninth line, as appearing in section five of chapter two hundred and twenty-four of the acts of nineteen hundred and thirty-six, the words: — , exclusive of the value of motor vehicles and the value of ships and vessels on which a vessel excise tax is based, — so as to read as follows: — Cities and towns may incur debt, within the limit of indebtedness prescribed in section ten, for the following purposes, and payable within the periods hereinafter specified, but, except for the purposes set forth in the eleventh clause, no loan shall be authorized in any year under any one of the following clauses unless a sum equal to twenty-five cents, or in the case of Boston ten cents, on each one thousand dollars of the assessed valuation of the city or town for the preceding year, exclusive of the value of motor vehicles and the value of ships and vessels on which a vessel excise tax is based has been appropriated from available revenue funds or voted to be raised by taxation for the purposes set forth in such clause in the year when the loan is authorized:

G. L. (Ter. Ed.), 44, § 7, etc., amended.

Purposes for which cities and towns may borrow within the debt limit.

SECTION 14. Clause (12) of said section seven, as so appearing, is hereby repealed.

G. L. (Ter. Ed.), 44, § 7, cl. (12), repealed.

SECTION 15. Section eight of said chapter forty-four is hereby amended by adding after clause (12) the following clause: —

G. L. (Ter. Ed.), 44, § 8, new cl. (13), added.

(13) For the establishing of public airports, including the acquiring of land, grading and constructing suitable surface on such fields, the construction of necessary buildings and the original equipment and furnishing of same, ten years; but the indebtedness so incurred shall not exceed one per cent of the last preceding assessed valuation of the city or town. The proceeds of indebtedness incurred hereunder may be expended for the establishment of such an airport jointly by two or more municipalities.

Purposes for which cities and towns may borrow outside the debt limit.

SECTION 16. Section twelve of said chapter forty-four, as amended by section eight of chapter two hundred and twenty-four of the acts of nineteen hundred and thirty-six, is hereby repealed.

G. L. (Ter. Ed.), 44, § 12, etc., repealed.

SECTION 17. Said chapter forty-four is hereby further amended by striking out section thirteen, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 13.* In towns, during the interval between December thirty-first in each year and the time of making the next annual appropriations, town officers

G. L. (Ter. Ed.), 44, § 13, amended.

Town officers may incur liabilities between

December
31 and next
appropriation.

authorized to make expenditures may incur liabilities in carrying on the several departments intrusted to them, and payments therefor shall be made from the town treasury from any available funds therein, and the same shall be charged against the next annual appropriation; provided, that the liabilities incurred during such interval for regular employees do not exceed in any month the average monthly expenditures of the last three months of the preceding year, and that the total liabilities incurred during said interval do not exceed in any one month the sums spent for similar purposes during any one month of the preceding year; and provided, further, that said officers may expend in any one month for any new officer or board created by law an amount not exceeding one twelfth of the total estimated cost for said year; but all interest and debt falling due in the said interval shall be paid.

G. L. (Ter.
Ed.), 44, § 17,
amended.

Temporary
loan may be
made for
period not
exceeding one
year, etc.

SECTION 18. Section seventeen of said chapter forty-four, as so appearing, is hereby amended by inserting after the words "five A" in the eleventh line the words: — , five B, — so as to read as follows: — *Section 17.* If a city, town or district votes to issue bonds, notes or certificates of indebtedness in accordance with law, the officers authorized to issue the same may, in the name of such city, town or district, make a temporary loan for a period of not more than one year in anticipation of the money to be derived from the sale of such bonds, notes or certificates of indebtedness, and may issue notes therefor; but the time within which such securities shall become due and payable shall not be extended by reason of the making of such temporary loan beyond the time fixed in the vote authorizing the issue of such bonds, notes or certificates of indebtedness; and notes issued under this section and sections four, five, five A, five B, six and six A for a shorter period than one year may be refunded by the issue of other notes maturing within the required period; provided, that the period from the date of issue of the original loan to the date of maturity of the refunding loan shall be not more than one year; and provided, further, that no notes shall be refunded under this section except under authority of such vote, if any, as is required for the original borrowing.

G. L. (Ter.
Ed.), 44, § 18,
amended.

Discount
of notes.

SECTION 19. Section eighteen of said chapter forty-four, as so appearing, is hereby amended by inserting after the words "five A", in the first line, the words: — , five B, — so as to read as follows: — *Section 18.* Notes issued under section four, five, five A, five B, six, six A or seventeen may be sold at such discount as the treasurer or other officer authorized to sell the same may, with the approval of the officer or officers whose counter-signature is required on said notes, deem proper, the discount to be treated as interest paid in advance.

G. L. (Ter.
Ed.), 44, § 19,
amended.

SECTION 20. Section nineteen of said chapter forty-four, as so appearing, is hereby amended by inserting after the words "five A", in the third line, the words: — , five B, —

and by striking out, in the thirteenth and fourteenth lines, the words “, for the purchase of land for the protection thereof or for acquiring water rights”, — so as to read as follows: — *Section 19.* Cities, towns and districts shall not issue any notes payable on demand, and they shall provide for the payment of all debts, except those incurred under sections four, five, five A, five B, six, six A and seventeen, by such annual payments as will extinguish the same at maturity, and so that the first of such annual payments on account of any loan shall be made not later than one year after the date of the bonds or notes issued for the serial loan, and so that the amount of such annual payments in any year on account of such debts, so far as issued, shall not be less than the amount of principal payable in any subsequent year, and such annual amounts, together with the interest on all debts, shall, without further vote, be assessed until the debt is extinguished; provided, that in the case of bonds or notes issued for establishing or purchasing a water supply system for its inhabitants, the first of such annual payments shall be made not later than three years after the date thereof.

Provisions for payment of debts by cities, towns and districts.

SECTION 21. Section twenty of said chapter forty-four, as so appearing, is hereby amended by inserting after the word “authorized”, in the sixth line, the words: —, or if the project is abandoned or discontinued by vote of the city council or vote of the town meeting, — so as to read as follows: — *Section 20.* The proceeds of any sale of bonds or notes, except premiums, shall be used only for the purposes specified in the authorization of the loan; provided, that transfers of unexpended amounts may be made to other accounts to be used for similar purposes or such unexpended amounts may, after the expiration of two years from the completion of the project for which the loan was authorized, or if the project is abandoned or discontinued by vote of the city council or vote of the town meeting, be transferred to any other account established for purposes for which a loan may be authorized for an equal or longer period of time. Any premium received upon such bonds, less the cost of preparing, issuing and marketing them, shall be applied to the payment of the principal of the first bonds or notes so to mature, and the contributions from other sources for the payment of said bonds or notes shall be reduced correspondingly.

G. L. (Ter. Ed.), 44, § 20, amended.

Proceeds of sale of bonds to be used only for purposes specified, etc.

Premiums.

SECTION 22. Section twenty-one of said chapter forty-four, as so appearing, is hereby amended by striking out the last sentence, — so as to read as follows: — *Section 21.* A city or town which recalls and pays any of its securities under rights reserved therein may issue, in place of securities so recalled and paid, other securities payable at periods within the maturity of those originally issued.

G. L. (Ter. Ed.), 44, § 21, amended.

Issue of new securities for old, recalled or paid.

SECTION 23. Said chapter forty-four is hereby further amended by striking out section thirty-one, as so appearing, and inserting in place thereof the following section: — *Sec-*

G. L. (Ter. Ed.), 44, § 31, amended.

Liability not

to be incurred
in excess of
appropriation,
etc.

tion 31. No department financed by municipal revenue, or in whole or in part by taxation, of any city or town, except Boston, shall incur a liability in excess of the appropriation made for the use of such department, each item recommended by the mayor and voted by the council in cities, and each item voted by the town meeting in towns, being considered as a separate appropriation, except in cases of extreme emergency involving the health or safety of persons or property, and then only by a vote in a city of two thirds of the members of the city council, and in a town by a vote of two thirds of the selectmen.

G. L. (Ter.
Ed.), 44, § 54,
etc., amended.

SECTION 24. Section fifty-four of said chapter forty-four, as amended by chapter two hundred of the acts of nineteen hundred and thirty-three, is hereby further amended by striking out, in the seventh line, the word "securities" and inserting in place thereof the words:— bonds or notes, — and by striking out, in the sixth and seventh lines, the words "shares of co-operative banks" and inserting in place thereof the words:— paid-up shares of co-operative banks, — so as to read as follows:— *Section 54.* Trust funds, including cemetery perpetual care funds, unless otherwise provided or directed by the donor thereof, shall be placed at interest in savings banks, trust companies incorporated under the laws of the commonwealth, or national banks, or invested by cities and towns in paid-up shares of co-operative banks, or in bonds or notes which are legal investments for savings banks. This section shall not apply to Boston.

Investment
of trust
funds, etc.

G. L. (Ter.
Ed.), 44, § 63,
amended.

SECTION 25. Section sixty-three of said chapter forty-four, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "estate" in the first line the words:— , other than that acquired through tax title foreclosure, — so as to read as follows:— *Section 63.* Whenever the proceeds of the sale of real estate, other than that acquired through tax title foreclosure, by a city or town exceed five hundred dollars, the same shall be applied to the payment of indebtedness incurred in acquiring such real estate or shall be added to the sinking fund, if any, from which said indebtedness is payable, or if no such indebtedness is outstanding shall be used for any purpose or purposes for which the city or town is authorized to incur debt for a period of ten years or more.

Application
of proceeds
of certain
sales of
real estate.

Approved May 22, 1946.

Chap. 359 AN ACT TO PROVIDE FOR THE COMPLETION OF A GREENHOUSE AT THE WALTHAM FIELD STATION.

Be it enacted, etc., as follows:

The trustees of the Massachusetts State College are hereby authorized to expend for the completion of a greenhouse the construction of which has been begun at the Waltham Field Station, a part of the Agricultural Experiment Station of said college, such sum, not exceeding nine thousand dollars, as may be appropriated for the purpose.

Approved May 22, 1946.

AN ACT RELATIVE TO CONTRIBUTIONS BY SUCCESSOR EMPLOYING UNITS UNDER THE EMPLOYMENT SECURITY LAW. Chap. 360

Be it enacted, etc., as follows:

Subsection (c) of section fourteen of chapter one hundred and fifty-one A of the General Laws, as most recently amended by chapter five hundred and sixteen of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the paragraph appearing in the forty-eighth to the seventy-second lines, inclusive, and inserting in place thereof the following paragraph:—

G. L. (Ter. Ed.), 151A, § 14, etc., amended.

The provisions of this subsection shall apply in determining the contribution rates of employers for the year nineteen hundred and forty-two and for subsequent years in the cases of items 1, 2, 3 and 4 above, and for the year nineteen hundred and forty-four and for subsequent years in the cases of items 5, 6 and 7 above. The succeeding employing unit shall file with the director a notice of such change in legal identity or form of the employer or employers, such notice to be filed in the form and manner prescribed by the director, in the cases of items 1, 2, 3 and 4 above, on or before September twelfth, nineteen hundred and forty-three, or within two months after the last day of the quarter in which said change occurred, whichever is later, and in the cases of items 5, 6 and 7 above, within three months after September twenty-sixth, nineteen hundred and forty-five, or within two months after the last day of the quarter in which said change occurred, whichever is later. Whenever a succeeding employing unit has failed to file a notice of such change within the time prescribed, his or its contribution rate shall be two and seven-tenths per cent for the entire calendar year in which such notice is received by the director. The provisions of this subsection shall not authorize the refund of any moneys except in accordance with section eighteen. The director may, however, issue credit memoranda as against future contributions to any employer entitled thereto under this chapter. Said credit memoranda shall be personal to the employer to whom issued and shall not be assigned or encumbered, or be subject to trustee or mesne process.

Contributions by successor employing units.

Approved May 22, 1946.

AN ACT PROVIDING FOR THE ESTABLISHMENT AND EQUIPPING OF PLAY AREAS ON THE ESPLANADE OF THE CHARLES RIVER BASIN. Chap. 361

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to establish and equip two or more play areas for children of pre-school age on the Esplanade of the Charles River basin in the city of Boston, one in the area between Gloucester and Hereford streets and the other in the area between Dartmouth and Clarendon

streets. For said purposes, said commission may expend not more than four thousand dollars from the Charles River Improvement Fund, so called.

SECTION 2. This act shall take effect upon its passage.

Approved May 22, 1946.

Chap.362 AN ACT RELATIVE TO THE TENURE OF THE PRESENT OFFICIAL TRANSLATOR AND INTERPRETER IN THE SUPERIOR COURT FOR SUFFOLK COUNTY.

Emergency
preamble.

Whereas, The purpose of this act is to prevent the termination on June first in the current year of the employment of the person referred to therein, and said purpose cannot be achieved unless the act takes effect earlier than ninety days after its passage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the employment of Joseph Feldman, who was re-employed as official translator and interpreter in the superior court for Suffolk county under the provisions of chapter sixteen of the acts of nineteen hundred and forty-two, may be continued after June first in the current year until such time as it is terminated by the justices of the superior court.

Approved May 22, 1946.

Chap.363 AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAWS RELATIVE TO SAFETY OF PERSONS IN BUILDINGS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 143, § 1,
amended.

SECTION 1. Section one of chapter one hundred and forty-three of the General Laws is hereby amended by striking out the paragraphs defining "Public hall" and "Supervisor of plans", both as appearing in the Tercentenary Edition, and inserting in place thereof the two following paragraphs: —

Term "public
hall" defined.

"Public hall", any building or part thereof, except theatres, churches and schools, containing an assembly hall with a seating capacity of more than four hundred and used for public gatherings and for such entertainments, not requiring the use of scenery and other stage appliances, as the licensing officer may approve.

Term
"supervisor
of plans"
defined.

"Supervisor of plans", a building inspector of the division of inspection of the department of public safety designated by the commissioner of public safety to receive the plans and specifications of all buildings subject to this chapter, to be erected or in which alterations are to be made, and to act officially upon them under the direction of the chief of inspections of the department of public safety.

G. L. (Ter.
Ed.), 143, § 3,
etc., amended.

SECTION 2. Section three of said chapter one hundred and forty-three is hereby amended by striking out the first

paragraph, as most recently amended by section one of chapter six hundred and seventy-four of the acts of nineteen hundred and forty-five, and inserting in place thereof the following paragraph:— Every city, subject to the provisions of its charter and of any amendments thereto, and of any special law, relative to the enactment of ordinances, and every town, for the prevention of fire and the preservation of life, health and morals, by ordinances or by-laws consistent with law and applicable throughout the whole or any defined part of its territory, may regulate the inspection, materials, construction, alteration, repair, height, area, location and use, and may require permits or licenses therefor, of buildings and other structures within its limits, except such as are owned or occupied by the United States, or owned or occupied by the commonwealth or by any county, and except bridges, quays and wharves, and may prescribe penalties not exceeding one hundred dollars for every violation of such ordinances or by-laws.

Regulations
by cities and
towns.

SECTION 3. Said chapter one hundred and forty-three is hereby further amended by striking out section three G, as amended, and inserting in place thereof the following section:— *Section 3G.* The authorized representative of the commissioner, referred to in section three A, shall determine the maximum number of persons to be permitted in any place of assembly at any one time, and said authorized representative shall from time to time issue his certificate stating definitely such maximum number of persons, which certificate shall be posted and at all times remain open to public inspection within such place of assembly.

G. L. (Ter.
Ed.), 143,
§ 3G, etc.,
amended.

Maximum
number of
persons to be
permitted in
place of
assembly.

SECTION 4. Said chapter one hundred and forty-three is hereby further amended by striking out section six, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 6.* In a city or town wherein there is in force a building code, so called, established under authority of section three or corresponding provisions of earlier law or established by or under authority of any other provision of law the superintendent of public buildings or such other person as the mayor of such city or the selectmen of such town may designate shall be inspector of buildings, and, immediately upon being informed by report or otherwise that a building or other structure or anything attached to or connected therewith in that city or town is dangerous to life or limb, shall inspect the same; and if it appears to him to be dangerous he shall forthwith in writing notify the owner, agent or any person having an interest therein to remove it or make it safe. If it appears that such structure would be specially unsafe in case of fire, it shall be deemed dangerous within the meaning hereof, and the inspector of buildings may affix in a conspicuous place upon its exterior walls a notice of its dangerous condition, which shall not be removed or defaced without authority from him.

G. L. (Ter.
Ed.), 143, § 6,
amended.

Inspector of
buildings.

SECTION 5. Said chapter one hundred and forty-three is hereby further amended by striking out section thirteen, as

G. L. (Ter.
Ed.), 143, § 13,
amended.

State in-
specter may
inspect in
cities and
towns.

G. L. (Ter.
Ed.), 143,
§ 21A, etc.,
amended.

Safety devices
for doorways
and windows.

appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 13.* Any inspector of the division of inspection, if called upon by the aldermen of any city or by the selectmen of any town, shall inspect any building or other structure in such city or town, or anything attached to or connected therewith, which has been represented to be dangerous to life or limb.

SECTION 6. Section twenty-one A of said chapter one hundred and forty-three, as amended by section one of chapter four hundred and seventy-four of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word “shall” in the seventh line the words:— open in the direction of egress and shall, — and by striking out, in the thirteenth line, the word “directly”, — so as to read as follows:— *Section 21A.* All doorways and windows which an inspector deems necessary in any building subject to section twenty-one, or which the licensing officer may require under section thirty-four, or which by rules and regulations authorized by section three B are required in places of assembly, as such term is defined in section one, either as exits or as means of egress, shall open in the direction of egress and shall not be so equipped as to be locked, bolted or otherwise fastened so that they cannot be opened from the inside by the use of the ordinary door knob or by pressure on the door or window or on a panic release device, so called. Any place of assembly, as defined in section one, which is wholly or partly below the ground level shall have at least two means of egress to the ground or street level, such means of egress to be located at points as widely separated from one another as may be reasonably feasible.

G. L. (Ter.
Ed.), 143,
§ 33, etc.,
amended.

Enforcement
of laws
relating to
safety of
persons in
buildings.

SECTION 7. Said chapter one hundred and forty-three is hereby further amended by striking out section thirty-three, as amended by section one of chapter five hundred and thirty-three of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 33.* In every city, town and district wherein there is in force a building code, so called, established under authority of section three or corresponding provisions of earlier law or established by or under authority of any other provision of law, the provisions of sections fifteen, seventeen, twenty, twenty-one, twenty-one A, twenty-four, twenty-five, twenty-eight, twenty-nine, thirty, thirty-one, forty-two, forty-three, forty-nine, fifty-one, fifty-two, fifty-three, fifty-four, fifty-seven and fifty-nine relative to buildings other than churches, theatres, special halls, public halls, schoolhouses and buildings owned or occupied by the commonwealth or by any county shall, unless otherwise provided, be enforced by the inspector or inspectors of buildings of such city, town or district and the terms “supervisor of plans”, “chief of inspections” and “inspector”, as used in said sections and in sections fifty-five and fifty-six, shall include an inspector of buildings of such city, town or district, and shall be en-

forced in accordance with the regulations authorized by section fifty-four; in all other cities and towns the provisions of said sections shall be enforced in accordance with their specific terms.

SECTION 8. Section one of chapter three of the acts of nineteen hundred and forty-four is hereby amended by striking out, in the second and third lines, the words "of the division of inspection of the department of public safety" and inserting in place thereof the words: —, as such term is defined in section one of chapter one hundred and forty-three of the General Laws, — so as to read as follows: —

Section 1. Any acknowledgment of an application to an inspector, as such term is defined in section one of chapter one hundred and forty-three of the General Laws, for a certificate of inspection under section twenty-eight of chapter one hundred and forty-three of the General Laws, as amended by section three of chapter five hundred and forty-four of the acts of nineteen hundred and forty-three, which shall have been renewed as provided in section twenty-nine of said chapter one hundred and forty-three, as amended by said section three, may be further renewed at any time before March first, nineteen hundred and forty-seven in like manner and with like effect for such further periods of not more than ninety days each as circumstances may require, pending the granting or refusal of the certificate. Such an acknowledgment may be revoked by an inspector, without a hearing and without the assignment of any cause therefor, at any time when in his opinion the public safety requires.

SECTION 9. Section twenty-eight of chapter one hundred and forty-eight of the General Laws, as most recently amended by section twelve of chapter seven hundred and ten of the acts of nineteen hundred and forty-five, is hereby further amended by striking out paragraph L and inserting in place thereof the following paragraph: — L. Prohibiting or regulating inflammable decorations in public buildings and places of assembly, as such terms are defined in section one of chapter one hundred and forty-three, and in stores, — and by adding at the end the following paragraph: — N. Requiring compliance with section twenty-four of chapter one hundred and forty-three.

G. L. (Ter. Ed.), 148, § 28, etc., amended.

Rules and regulations as to fires and fire protection.

Approved May 22, 1946.

AN ACT DISSOLVING THE COLLEGE OF PHYSICIANS AND SURGEONS. Chap. 364

Be it enacted, etc., as follows:

SECTION 1. The College of Physicians and Surgeons, a Massachusetts corporation duly organized and established November tenth, eighteen hundred and eighty, is hereby dissolved, subject to sections fifty-one and fifty-two of chapter one hundred and fifty-five of the General Laws.

SECTION 2. Nothing in this act shall be construed to affect any suit pending by or against said corporation, or any

suit now pending or hereafter brought for any liability now existing against the officers of said corporation, or to make valid any defect in the organization of said corporation.

SECTION 3. Suits upon choses in action arising out of any lawful activity by said corporation may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defense of which he might have availed himself in a suit upon the claim by said corporation, had it not been dissolved by this act.

SECTION 4. Said corporation shall not register any new students.

SECTION 5. Section four of this act shall take effect when this act has the force of a law and the balance of this act shall take effect on June thirtieth, nineteen hundred and forty-nine.

Approved May 22, 1946.

Chap. 365 AN ACT PROVIDING FOR RECIPROCAL REGISTRATION OF PHYSICIANS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay for the reciprocal registration of physicians, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 112, § 2,
etc., amended.

Section two of chapter one hundred and twelve of the General Laws, as most recently amended by sections one and two of chapter three hundred and ninety-six of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the following paragraph:—

Reciprocal
registration.

The board may, without examination, grant certificates of registration as qualified physicians to such persons as shall furnish with their applications satisfactory proof that they have the qualifications required in the commonwealth to entitle them to be examined and have been licensed or registered upon a written examination in another state whose standards, in the opinion of the board, are equivalent to those in the commonwealth; provided, that no person shall be so registered without an examination if he has attempted unsuccessfully to secure registration in the commonwealth or if he is a graduate of a medical school not approved by the approving authority. The fee for such registration without examination shall be fifty dollars.

Exception.

Fee.

Approved May 23, 1946.

Chap. 366 AN ACT RELATIVE TO THE PROTECTION OF POULTRY FROM FOXES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 128,
§ 8A, etc.,
amended.

Section eight A of chapter one hundred and twenty-eight of the General Laws, inserted by chapter four hundred and ninety-five of the acts of nineteen hundred and forty-three, is

hereby amended by inserting before the word "rats" in the fifth line the words:— foxes, and, — so as to read as follows:— *Section 8A.* In order to protect the food supplies, agricultural produce, growing crops, live stock, manufactured goods and buildings, and to safeguard the public health, the commissioner may investigate the life and habits of, and may take necessary measures to destroy or to control, foxes, and rats, mice, woodchucks, and such other rodents not protected by law, as may from time to time be determined by him to be detrimental to one or more of such purposes. In performing such duties he may, by himself or by his authorized agent, with the consent of the owner or tenant, enter upon private premises for any of such purposes at any reasonable time. In order to carry out this section, the commissioner may enter into co-operative arrangements with the United States or any agency thereof, with any department, board or commission of this commonwealth or any political subdivision thereof, or with any association, corporation or individual owning, occupying or possessing any property within the commonwealth. Section eighty-seven of chapter one hundred and thirty-one shall not apply to the destruction of rodents under this section. Nothing herein shall be construed to authorize the destruction or control of foxes by the use of poison.

Destruction and control of foxes and certain rodents.

Approved May 23, 1946.

AN ACT TO EXCLUDE CERTAIN AREAS IN THE CITY OF BOSTON FROM THE SOUTH METROPOLITAN SEWERAGE SYSTEM.

Chap. 367

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter ninety-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the seventh line, the word "Boston," and inserting in place thereof the following:— such portions of Boston as on January first, nineteen hundred and forty-six, are not included in the north metropolitan sewerage system and are not served by the Boston main drainage system and for, — so as to read as follows:— *Section 1.* The metropolitan district commission, in this chapter called the commission, shall construct, maintain and operate such main sewers and other works as shall be required for a system of sewage disposal for Arlington, Belmont, Boston, Cambridge, Chelsea, Everett, Lexington, Malden, Medford, Melrose, Reading, Revere, Somerville, Stoneham, Wakefield, Winchester, Winthrop and Woburn, known as the north metropolitan sewerage system, and for such portions of Boston as on January first, nineteen hundred and forty-six, are not included in the north metropolitan sewerage system and are not served by the Boston main drainage system and for Braintree, Brookline, Canton, Dedham, Milton, Needham, Newton, Norwood, Quincy, Stoughton, Walpole, Waltham, Watertown, Wellesley and Weymouth, known as the south metropolitan sewerage system. The commission may contract with any other town

G. L. (Ter. Ed.), 92, § 1, amended.

Construction and maintenance of sewer works.

for the extension thereto of either of said systems of sewage disposal, and for the reception and disposal of sewage therefrom.

Effective
date.

SECTION 2. This act shall take effect as of January first, nineteen hundred and forty-six. *Approved May 23, 1946.*

Chap. 368 AN ACT PROVIDING FOR A FAIR EMPLOYMENT PRACTICE LAW AND ESTABLISHING A COMMISSION, TO BE KNOWN AS THE MASSACHUSETTS FAIR EMPLOYMENT PRACTICE COMMISSION, AND DEFINING ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The right to work without discrimination because of race, color, religious creed, national origin or ancestry is hereby declared to be a right and privilege of the inhabitants of the commonwealth.

G. L. (Ter.
Ed.), 6, § 17,
etc., amended.

SECTION 2. Section seventeen of chapter six of the General Laws, as most recently amended by section one of chapter six hundred and nineteen of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "Authority" in the eleventh line the following: — , the Massachusetts fair employment practice commission, — so as to read as follows: — *Section 17.* The armory commission, the art commission, the commission on administration and finance, the commissioner of veterans' services, the commissioners on uniform state laws, the public bequest commission, the state ballot law commission, the board of trustees of the Soldiers' Home in Massachusetts, the milk regulation board, the alcoholic beverages control commission, the state planning board, the trustees of the state library, the state racing commission, the Greylock reservation commission, the Port of Boston Authority, the Massachusetts fair employment practice commission and the Massachusetts aeronautics commission shall serve under the governor and council, and shall be subject to such supervision as the governor and council deem necessary and proper.

Certain
officers to
serve under
governor
and council.

G. L. (Ter.
Ed.), 6, new
§ 56, added.

SECTION 3. Said chapter six is hereby further amended by adding after section fifty-five, added by section two of chapter six hundred and nineteen of the acts of nineteen hundred and forty-five, under the caption Massachusetts Fair Employment Practice Commission, the following new section: — *Section 56.* There shall be a commission to be known as the Massachusetts Fair Employment Practice Commission.

Massachu-
setts Fair
Employment
Practice
Commission,
members,
term.

Such commission shall consist of three members, to be known as commissioners, who shall be appointed by the governor, by and with the advice and consent of the council, and one of whom shall be designated as chairman by the governor. The term of office of each member of the commission shall be for three years, provided, however, that of the commissioners first appointed, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years. Any member chosen to fill a vacancy

occurring otherwise than by expiration of term shall be appointed for the unexpired term of the member whom he is to succeed. Two members of the commission shall constitute a quorum for the purpose of conducting the business thereof. A single vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission.

The chairman of the commission shall receive a salary of five thousand dollars per year, and each of the other members shall receive a salary of four thousand dollars per year, and each member shall also be entitled to his expenses actually and necessarily incurred by him in the performance of his duties, and shall be eligible for reappointment. Any member may be removed by the governor, with the consent of the council, for inefficiency, neglect of duty, misconduct or malfeasance in office, after being given a written statement of the charges and an opportunity to be heard thereon.

All employees of the commission, except an executive secretary, the heads of divisions, and attorneys, shall be subject to chapter thirty-one and the rules and regulations made thereunder.

SECTION 4. The General Laws are hereby amended by inserting after chapter one hundred and fifty-one A the following new chapter: —

Salaries.

G. L. (Ter. Ed.), new chapter 151B, added.

CHAPTER 151B.

UNLAWFUL DISCRIMINATION AGAINST RACE, COLOR, RELIGIOUS CREED, NATIONAL ORIGIN OR ANCESTRY.

Section 1. As used in this chapter

Definitions.

1. The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, and the commonwealth and all political subdivisions, boards, and commissions thereof.

2. The term "employment agency" includes any person undertaking to procure employees or opportunities to work.

3. The term "labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in connection with employment.

4. The term "unlawful employment practice" includes only those unlawful employment practices specified in section four.

5. The term "employer" does not include a club exclusively social, or a fraternal, charitable, educational or religious association or corporation, if such club, association or corporation is not organized for private profit, nor does it include any employer with fewer than six persons in his employ, but shall include the commonwealth and all political subdivisions, boards, departments, and commissions thereof.

6. The term "employee" does not include any individual employed by his parents, spouse or child, or in the domestic service of any person.

7. The term "commission", unless a different meaning clearly appears from the context, means the Massachusetts fair employment practice commission created by section fifty-six of chapter six.

Policies.

Section 2. The commission, as established by section fifty-six of chapter six, shall formulate policies to effectuate the purposes of this chapter and may make recommendations to agencies and officers of the commonwealth or its political subdivisions in aid of such policies and purposes.

Functions,
powers and
duties.

Section 3. The commission shall have the following functions, powers and duties:

1. To establish and maintain its principal office in the city of Boston, and such other offices within the commonwealth as it may deem necessary.

2. To meet and function at any place within the commonwealth.

3. To appoint such attorneys, clerks, and other employees and agents as it may deem necessary, fix their compensation within the limitations provided by law, and prescribe their duties.

4. To obtain upon request and utilize the services of all executive departments and agencies.

5. To adopt, promulgate, amend, and rescind rules and regulations suitable to carry out the provisions of this chapter, and the policies and practice of the commission in connection therewith.

6. To receive, investigate and pass upon complaints alleging discrimination in employment because of race, color, religious creed, national origin, or ancestry.

7. To hold hearings, subpoena witnesses, compel their attendance, administer oaths, take the testimony of any person under oath, and in connection therewith, to require the production for examination of any books or papers relating to any matter under investigation or in question before the commission. The commission may make rules as to the issuance of subpoenas by individual commissioners.

No person shall be excused from attending and testifying or from producing books, records, correspondence, documents or other evidence in obedience to the subpoena of the commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

8. To create such advisory agencies and conciliation councils, local, regional or state-wide, as in its judgment will

aid in effectuating the purposes of this chapter, and the commission may empower them to study the problems of discrimination in all or specific fields of human relationships or in specific instances of discrimination, because of race, color, religious creed, national origin, or ancestry, in order to foster, through community effort or otherwise, good will, co-operation and conciliation among the groups and elements of the population of the commonwealth, and make recommendations to the commission for the development of policies and procedures in general and in specific instances, and for programs of formal and informal education which the commission may recommend to the appropriate state agency. Such advisory agencies and conciliation councils shall be composed of representative citizens, serving without pay, but with reimbursement for actual and necessary traveling expenses; and the commission may make provision for technical and clerical assistance to such agencies and councils and for the expenses of such assistance.

9. To issue such publications and such results of investigations and research as in its judgment will tend to promote good will and minimize or eliminate discrimination because of race, color, religious creed, national origin or ancestry.

10. To render each year to the governor and to the general court a full written report of its activities and of its recommendations.

11. To adopt an official seal.

Section 4. It shall be an unlawful employment practice:

Unlawful
employment
practices.

1. For an employer, by himself or his agent, because of the race, color, religious creed, national origin, or ancestry of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment, unless based upon a bona fide occupational qualification.

2. For a labor organization, because of the race, color, religious creed, national origin, or ancestry of any individual to exclude from full membership rights or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer, unless based upon a bona fide occupational qualification.

3. For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry or record in connection with employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to race, color, religious creed, national origin or ancestry or any intent to make any such limitation, specification or discrimination, or to discriminate in any way on the ground of race, color, religious creed, national origin or ancestry, unless based upon a bona fide occupational qualification.

4. For any person, employer, labor organization or em-

ployment agency to discharge, expel or otherwise discriminate against any person because he has opposed any practices forbidden under this chapter or because he has filed a complaint, testified or assisted in any proceeding under section five.

5. For any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this chapter or to attempt to do so.

Filing of
complaint by
aggrieved
persons.

Section 5. Any person claiming to be aggrieved by an alleged unlawful employment practice may, by himself or his attorney, make, sign and file with the commission a verified complaint in writing which shall state the name and address of the person, employer, labor organization or employment agency alleged to have committed the unlawful employment practice complained of and which shall set forth the particulars thereof and contain such other information as may be required by the commission. The attorney general may, in like manner, make, sign and file such complaint. The commission, whenever it has reason to believe that any person has been or is engaging in an unlawful employment practice, may issue such a complaint. Any employer whose employees, or some of them, refuse or threaten to refuse to co-operate with the provisions of this chapter, may file with the commission a verified complaint asking for assistance by conciliation or other remedial action.

Complaints,
investigation
of, etc.

After the filing of any complaint, the chairman of the commission shall designate one of the commissioners to make, with the assistance of the commission's staff, prompt investigation in connection therewith; and if such commissioner shall determine after such investigation that probable cause exists for crediting the allegations of the complaint, he shall immediately endeavor to eliminate the unlawful employment practice complained of by conference, conciliation and persuasion. The members of the commission and its staff shall not disclose what has occurred in the course of such endeavors, provided that the commission may publish the facts in the case of any complaint which has been dismissed, and the terms of conciliation when the complaint has been so disposed of. In case of failure so to eliminate such practice, or in advance thereof if in his judgment circumstances so warrant, he may cause to be issued and served in the name of the commission, a written notice, together with a copy of such complaint, as the same may have been amended, requiring the person, employer, labor organization or employment agency named in such complaint, hereinafter referred to as respondent, to answer the charges of such complaint at a hearing before the commission, at a time and place to be specified in such notice. The place of any such hearing shall be the office of the commission or such other place as may be designated by it. The case in support of the complaint shall be presented

before the commission by one of its attorneys or agents, and the commissioner who shall have previously made the investigation and caused the notice to be issued shall not participate in the hearing except as a witness, nor shall he participate in the deliberations of the commission in such case; and the aforesaid endeavors at conciliation shall not be received in evidence. The respondent may file a written verified answer to the complaint and appear at such hearing in person or otherwise, with or without counsel, and submit testimony. In the discretion of the commission, the complainant may be allowed to intervene and present testimony in person or by counsel. The commission or the complainant shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend his answer. The commission shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath and be transcribed at the request of any party. If, upon all the evidence at the hearing the commission shall find that a respondent has engaged in any unlawful employment practice as defined in section four, the commission shall state its findings of fact and shall issue and cause to be served on such respondent an order requiring such respondent to cease and desist from such unlawful employment practice and to take such affirmative action, including (but not limited to) hiring, reinstatement or upgrading of employees, with or without back pay, or restoration to membership in any respondent labor organization, as, in the judgment of the commission, will effectuate the purposes of this chapter, and including a requirement for report of the manner of compliance. If, upon all the evidence, the commission shall find that a respondent has not engaged in any such unlawful employment practice, the commission shall state its findings of fact and shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent. A copy of its order shall be delivered in all cases to the attorney general and such other public officers as the commission deems proper. The commission shall establish rules of practice to govern, expedite and effectuate the foregoing procedure and its own actions thereunder. Any complaint filed pursuant to this section must be so filed within six months after the alleged act of discrimination.

Section 6. Any complainant, respondent or other person aggrieved by such order of the commission may obtain judicial review thereof, and the commission may obtain an order of court for its enforcement, in a proceeding as provided in this section. Such proceeding shall be brought in the superior court of the commonwealth within any county wherein the unlawful employment practice which is the subject of the commission's order occurs or wherein any person required in the order to cease and desist from an unlawful employment practice or to take other affirmative action resides or transacts business. Such proceeding shall be initi-

Judicial review and enforcement by superior court.

ated by the filing of a petition in such court, together with a written transcript of the record upon the hearing before the commission, and issuance and service of an order of notice as in proceedings in equity. The court shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony and proceedings set forth in such transcript an order or decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the commission, with full power to issue injunctions against any respondent and to punish for contempt thereof. No objection that has not been urged before the commission shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. Any party may move the court to remit the case to the commission in the interests of justice for the purpose of adducing additional specified and material evidence and seeking findings thereon, provided he shows reasonable grounds for the failure to adduce such evidence before the commission. The findings of the commission as to the facts shall be conclusive if supported by sufficient evidence on the record considered as a whole. All such proceedings shall be heard and determined by the court as expeditiously as possible and shall take precedence over all other matters before it, except matters of like nature. The jurisdiction of the superior court shall be exclusive and its final order or decree shall be subject to review by the supreme judicial court in the same manner and form and with the same effect as in appeals from a final order or decree in proceedings in equity. The commission's copy of the testimony shall be available at all reasonable times to all parties for examination without cost and for the purposes of judicial review of the order of the commission. The review shall be heard on the record without requirement of printing. The commission may appear in court by one of its attorneys. A proceeding under this section when instituted by any complainant, respondent or other person aggrieved must be instituted within thirty days after the service of the order of the commission.

Posting of
certain in-
formation.

Penalty.

Section 7. Every employer, employment agency and labor union subject to this act, shall post in a conspicuous place or places on his premises a notice to be prepared or approved by the commission, which shall set forth excerpts of this chapter and such other relevant information which the commission deems necessary to explain the act. Any employer, employment agency or labor union refusing to comply with the provisions of this section shall be punished by a fine of not less than ten dollars nor more than one hundred dollars.

Wilful re-
sistance,
interference,
etc., with
commission.

Section 8. Any person, employer, labor organization or employment agency, who or which shall wilfully resist, prevent, impede or interfere with the commission or any of its members or representatives in the performance of duty under this chapter, or shall wilfully violate a final order of the com-

mission, or who shall wilfully file a false complaint shall be punished for each offence by imprisonment for not more than one year, or by a fine of not more than five hundred dollars, or by both; but procedure for the review of the order shall not be deemed to be such wilful conduct. Penalty.

Section 9. The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof, and any law inconsistent with any provision hereof shall not apply, but nothing contained in this chapter shall be deemed to repeal section ninety-eight of chapter two hundred and seventy-two or any other law of this commonwealth relating to discrimination because of race, color, religious creed, national origin, or ancestry; but, as to acts declared unlawful by section four, the procedure provided in this chapter shall, while pending, be exclusive; and the final determination therein shall exclude any other action, civil or criminal, based on the same grievance of the individual concerned. If such individual institutes any action based on such grievance without resorting to the procedure provided in this chapter, he may not subsequently resort to the procedure herein. Provisions to be liberally construed.

Section 10. If any provision of this chapter or the application thereof to any person or circumstance, shall, for any reason, be held invalid, the remainder of this chapter or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby. Constitutionality, effect of.

Approved May 23, 1946.

AN ACT PROVIDING FOR AN AMBULANCE FOR USE AT THE Chap.369
SOLDIERS' HOME IN MASSACHUSETTS.

Be it enacted, etc., as follows:

The trustees of the Soldiers' Home in Massachusetts are hereby authorized and directed to acquire an ambulance for use at said Home. For said purposes said trustees may expend such sum as may hereafter be appropriated therefor.

Approved May 23, 1946.

AN ACT PROVIDING FOR THE CONSTRUCTION OF A NURSES Chap.370
HOME AND RECREATION BUILDING AT THE PONDVILLE HOSPITAL AT NORFOLK.

Be it enacted, etc., as follows:

The department of public health is hereby authorized to construct a nurses home and recreation building at the Pondville hospital at Norfolk. For said purposes said department may expend such sums as may hereafter be appropriated therefor.

Approved May 23, 1946.

Chap.371 AN ACT RELATIVE TO THE FILING OF CERTAIN PETITIONS IN THE CURRENT YEAR UNDER THE LAW REGULATING THE HOURS OF DUTY OF PERMANENT MEMBERS OF FIRE DEPARTMENTS IN CERTAIN CITIES AND TOWNS AND TO THE CERTIFICATION OF NAMES ON SUCH PETITIONS.

Emergency
preamble.

Whereas, The deferred operation of this act would defeat one of the principal purposes thereof, which is to authorize the filing of certain petitions and the certification of names thereon prior to June first in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Petitions under the provisions of section fifty-eight B of chapter forty-eight of the General Laws, inserted by section one of chapter four hundred and thirteen of the acts of nineteen hundred and forty-five, regulating the hours of duty of permanent members of fire departments in certain cities and towns, may be received, and signatures thereon may be certified, by registrars of voters prior to June first in the current year notwithstanding that chapter one hundred and fourteen of the acts of nineteen hundred and forty-six does not take effect until June fourth in said year. All such petitions submitted or filed since March sixth in the current year and prior to the effective date of this act, and the certification of names thereon, are hereby validated and confirmed to the same extent as if said chapter one hundred and fourteen had taken effect upon its passage.

Approved May 23, 1946.

Chap.372 AN ACT TO PROVIDE HOUSING FOR VETERANS OF WORLD WAR II.

Emergency
preamble.

Whereas, An acute shortage of housing exists in many of the cities and towns of the commonwealth and on account of such shortage many veterans of World War II are unable to obtain shelter for themselves and their families, and this shortage is likely to continue for a substantial period of time; and inability to obtain adequate shelter will cause suffering and disease among such veterans and their families unless such shortage is relieved, therefore this act is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter thirteen of the acts of nineteen hundred and forty-six is hereby repealed, but nothing in this act shall affect the validity of any action taken under authority of said chapter thirteen prior to the effective date of this act.

SECTION 2. It is hereby declared that an acute shortage of housing exists in many of the cities and towns of the

commonwealth; that on account of such shortage many veterans of World War II are unable to obtain shelter for themselves and their families regardless of their ability to pay for such shelter; that on account of the extent of the deficiency in housing and the difficulty in obtaining building materials it is likely that this shortage will continue for a substantial period; that on this account a time of public exigency, emergency and distress now exists so that the providing of shelter is a public function; and each city or town in which such shortage exists is hereby authorized to provide shelter for such of its inhabitants as are veterans of said war in the manner hereinafter designated for a period of five years from the date when this act becomes operative unless the general court shall previously determine that the time of public exigency, emergency and distress has ended, which period is hereinafter referred to as the present emergency.

SECTION 3. In this act, unless the context otherwise requires, the following words shall have the following meanings:

Veteran. — A man or woman who served in the army or navy of the United States at any time on or after December seventh, nineteen hundred and forty-one and before the conclusion of World War II and has been separated therefrom under conditions other than dishonorable. The term shall also include the widow or the mother of a man who so served and who died while in such service and the wife of a man who is still serving in said army or navy.

Take by Eminent Domain. — Take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws either a fee or rights less extensive than a fee either with respect to the interest taken or the duration of such rights or both.

Dwelling Unit. — A house, apartment, suite of rooms or room, occupied or designed or available for occupancy as a place of abode by one person, or by two or more persons closely related by blood or marriage living together as a family.

SECTION 4. During the present emergency a city or town may raise, appropriate and expend money and take such other action as is suitable and necessary for the purpose of providing shelter for veterans who are inhabitants of such city or town by any or all of the following methods:

(a) By establishing an information centre in which the dwelling units in such city or town available for veterans will be listed and veterans will be advised and assisted in establishing contact with the persons in charge of the selling or rental of such dwelling units and in determining whether a dwelling unit offered to a veteran is suitable for him at the price or rental charged.

(b) By causing an investigation and survey to be made for the purpose of determining the probable requirements for dwelling units at the time of such investigation and survey and in the succeeding years of veterans and other persons who are inhabitants of such city or town, the number

of unoccupied dwelling units in such city or town that are available for occupancy or that may be made available for occupancy, and the number of additional dwelling units, if any, that will be required to meet such requirements, for both temporary and permanent occupation, and, if a deficiency in available dwelling units is found to exist, of recommending means for overcoming such deficiency.

(c) By purchasing, leasing or acquiring by gift, or by taking by eminent domain, buildings or portions of buildings available or which may be made available for dwelling units for veterans and, if necessary, altering, reconstructing, rehabilitating, repairing and remodelling such buildings or portions thereof so as to provide the greatest number of suitable dwelling units reasonably possible, and renting such dwelling units to veterans at reasonable rates; provided, that no building or portion of a building occupied as a dwelling unit shall be taken by eminent domain.

(d) By purchasing, leasing or acquiring by gift or by taking by eminent domain one or more tracts of land which are entirely or almost entirely unoccupied by buildings, preparing such tracts for occupancy as herein provided, and permitting veterans to occupy such tracts with dwelling units of a temporary nature, such as portable or pre-fabricated houses, cabins, huts or trailers; or by itself providing such dwelling units of a temporary nature by causing them to be constructed or by acquiring them through purchase, lease, gift or grant wherever they may be found, causing them to be transported to the tracts so acquired and to be set up and made ready for occupancy. Dwelling units of a temporary nature when provided by a city or town may consist of separate apartments in a building designed to contain two or more dwelling units. Reasonable rates shall be charged for occupancy of land, buildings or other structures under this paragraph.

(e) By using any real estate, which it has acquired by foreclosure of tax titles or in any other way and which is not devoted to and required by any other public use, for any of the purposes set forth in paragraphs (c) and (d) of this section.

SECTION 5. The board of appeals from the decisions of the inspector of buildings of a city or town, if it finds that buildings or other structures constructed or assembled under the provisions of paragraph (d) of section four, or altered, reconstructed, rehabilitated, repaired or remodelled under the provisions of paragraph (c) of said section, may be occupied and used as therein provided without endangering the safety of the occupants or injuriously affecting the best interests of the city or town although the provisions of all of the statutes, ordinances, by-laws and regulations relating to town planning, the subdivision and use of land, the construction, repair, maintenance and use of buildings may not be complied with, may authorize, under such conditions as it may impose, a variance from the requirements of such statutes, ordinances, by-laws and regulations. The pro-

ceedings before a board of appeals under this section shall be summary, and shall not be governed by section thirty of chapter forty of the General Laws and the determination of the board shall be final. In any city or town in which there is no such board of appeals, the mayor of the city or the selectmen of the town may appoint a board of appeals, which shall have all of the powers of a board of appeals under this section. The board of health of such city or town, if it finds that the attendant sanitary conditions are such that the buildings and structures may be occupied as provided in paragraph (c) or paragraph (d) of section four without endangering the health of the public or of the occupants of such buildings although all of the statutes, ordinances, by-laws and regulations relating to the protection of the public health may not be complied with, may authorize, under such conditions as it may impose, a variance from the requirements of such statutes, ordinances, by-laws and regulations. Within six months after the termination of the present emergency all of such buildings and structures which do not comply with the provisions of all of such statutes, ordinances, by-laws and regulations shall be destroyed or removed, or remodelled in such a way as to comply with all of such statutes, ordinances, by-laws and regulations, and any subdivision or use of land which does not so comply shall be unlawful and shall be discontinued.

SECTION 6. Subject to the provisions of section seven, a city or town may also during the present emergency, raise, appropriate and expend money and take such other action as is suitable and necessary for the purpose of providing shelter for veterans who are inhabitants of such city or town, by purchasing or acquiring by gift or by taking by eminent domain one or more tracts of land of sufficient size for a housing development, or by using any such tract to which it holds title and which is not devoted to and required by any other public use, subdividing such tracts into parcels of adequate size for house lots, laying out and providing or causing to be provided ways, public and private, and other public utilities for the use of the development, to such extent as it deems necessary or advisable, and either —

(1) Selling such parcels to veterans at reasonable rates on conditions requiring in each case the erection within a specified time of a single or two family residence thereon for the occupancy in whole or in part of the veteran purchasing the same.

(2) Selling parcels to corporations and individuals generally, on condition that the purchaser agree to erect a single or two family residence on each such parcel within a specified time, and offer to sell such residence to a veteran at a reasonable rate or to rent such residence to one or to two veterans, as the case may be, at reasonable rates.

(3) Constructing single or two family residences on such parcels, suitable for dwelling units for veterans, and renting such dwelling units to veterans at reasonable rates; pro-

vided, that as soon as may be after the termination of the present emergency, as defined in section two, and in no event later than one year after such termination, such residences shall be offered for sale at the fair market value thereof and disposed of as rapidly as is consistent with sound business judgment.

A city or town which sells land under the provisions of paragraphs (2) and (3) shall include in every deed of such land conditions binding upon the purchaser and his representatives and assigns which will require the carrying out of the purpose of this act until after the termination of the present emergency.

Nothing in this section shall authorize the subdivision and use of land or the construction, maintenance and use of buildings in any city or town under this section, in violation of any statute, ordinance, by-law or regulation in force in such city or town and in the district in which such land and buildings are located.

SECTION 7. No expenditure shall be made by any city or town, in carrying out the provisions of section four, of more than one thousand dollars in any year without the approval of the state board of housing. No action shall be taken by a city or town under section six unless, upon application by such city or town to the state board of housing, said board determines that an acute shortage of housing exists in such city or town; that veterans are unable to obtain shelter for themselves and their families regardless of their ability to pay for the same; that this shortage is not being relieved by the ordinary operations of private enterprise and that it is unlikely that it will be relieved within a reasonable period of time; and that for such reasons a condition of public exigency, emergency and distress exists in such city or town which can be relieved only by action of such city or town under section six. Upon such application by a city or town said board shall hold a public hearing in such city or town at which any inhabitant or other person subject to taxation in such city or town shall have a reasonable opportunity to present facts and arguments in favor of or against the granting of the application. The decision of the board upon the application shall be final.

SECTION 8. In carrying out the provisions of this act, any city or town in which a housing authority has been organized under sections twenty-six L and twenty-six M of chapter one hundred and twenty-one of the General Laws shall use such housing authority as its agent, and all moneys appropriated under this act or received by such city or town for the purposes of this act from any source shall be paid to the treasurer of the authority, and shall be disbursed by him subject to section twenty-six EE of said chapter. In any other city or town the city council, or the town at its annual town meeting or at a special meeting called for the purpose, shall designate the board or officer to carry out the provisions of this act, or may establish a new board or office for the

purpose. Where no housing authority has been organized the funds available for the purpose of this act shall be in the custody of the city or town treasurer but shall be kept separate from other funds. All moneys received from the operation of this act shall be available for the purposes thereof and used in accordance with any agreement duly entered into with the United States government or any authorized agency thereof, the provisions of section fifty-three of chapter forty-four to the contrary notwithstanding.

SECTION 9. The authority, board or officer authorized by a city or town to carry out the provisions of this act shall determine in the first instance reasonable rates for rents and prices to be charged to veterans under paragraphs (c) and (d) of section four, and under section six, which shall be no higher than the limits imposed by any applicable federal regulation. In such determination the cost of the property or services sold, rented or furnished, the price of similar property or services in the open market, the value thereof to the veteran purchasing or renting the same and the ability of veterans generally to pay therefor may all be considered. Unusual factors due to the present emergency itself may be disregarded. The rates fixed shall be the same whether they are to be charged by the city or town or by private individuals and corporations under authority of this act. Any person aggrieved by the determination of reasonable rates under this section, or ten taxable inhabitants of such city or town, may appeal to the state board of housing from such determination within ten days after it has been made; and the decision of such board upon questions of fact shall be final.

SECTION 10. A city or town may incur debt to meet expenses necessary for carrying out this act. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates, except that loans for the purpose of carrying out the provisions of section six shall be paid in not more than fifteen years from their dates. Indebtedness incurred under this act shall be outside the statutory limit and, except as provided herein, be subject to the applicable provisions of chapter forty-four of the General Laws, excluding the limitation contained in the first paragraph of section seven thereof; provided, that the total amount of indebtedness under this act outstanding at any one time in any city or town shall not exceed two per cent on the average of the assessors' valuation of its taxable property for the three preceding years, reduced and otherwise determined as provided in section ten of said chapter forty-four.

SECTION 11. A city or town, for the purpose of carrying out any of the provisions of this act may receive grants or gifts from the United States government, or any federal agency, the commonwealth or any person or corporation, of money, land, buildings, structures, materials, furniture, equipment or other property, or services, and may co-

operate with the United States government, or any federal agency, the commonwealth, or any person or corporation, in carrying out the provisions of this act, as a joint enterprise or in any other manner. *Approved May 23, 1946.*

Chap. 373 AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN OFFICERS IN THE DIVISION OF STATE POLICE OF THE DEPARTMENT OF PUBLIC SAFETY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide immediately funds from which retirement allowances of certain officers of the division of state police now retired may be paid, therefore it is hereby declared to be an emergency law, necessary for the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32,
§ 28A, etc.,
amended.

SECTION 1. Section twenty-eight A of chapter thirty-two of the General Laws, inserted by section one of chapter seven hundred and twenty of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the following paragraph: —

State police,
special pro-
visions apply-
ing to.

The retirement allowance under this section shall be the same as that provided for in paragraph (c) of subdivision (3) of section twenty-six.

SECTION 2. This act shall apply to the retirement allowances of officers in the division of state police of the department of public safety retired since January first, nineteen hundred and forty-six, and prior to the effective date of this act, as well as to those retired after said effective date.

Approved May 23, 1946.

Chap. 374 AN ACT PROVIDING FOR THE LAYING OUT OF AN AREA FOR THE PARKING OF VEHICLES CONTIGUOUS TO FARM ROAD IN THE TOWN OF SHERBORN AND PROVIDING FOR THE ESTABLISHMENT OF A RIGHT OF WAY FOR ACCESS BY PEDESTRIANS AND CERTAIN VEHICLES TO LITTLE POND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized and directed to lay out an area for the parking of vehicles contiguous to Farm road in the town of Sherborn, with a right of way for public access to Little pond in the town of Sherborn by publicly owned vehicles only, and by pedestrians, in accordance with plans to be approved by the department of public works and showing the locations and dimensions of such parking area and right of way; provided, that the land for such parking area and right of way is acquired by said county commissioners without the payment of compensation or damages therefor.

SECTION 2. The selectmen of the town of Sherborn from time to time may make specific repairs on or improve such way to such extent as they may deem necessary, but neither the county of Middlesex, nor any city or town therein, shall be required to keep such right of way in repair, nor shall they be liable for injury sustained by persons travelling thereon; provided, that sufficient notice to warn the public is posted where such way enters upon or unites with an existing public way.

SECTION 3. All expenses incurred by said county commissioners in connection with such right of way shall be borne by the county of Middlesex, or by such cities and towns therein, and in such proportions, as said county commissioners may determine.

SECTION 4. Said right of way shall not be discontinued or abandoned without authority therefor from the general court.

SECTION 5. Nothing in this act shall be construed to limit the powers of the department of public health, or of any local board of health, under any general or special law.

Approved May 23, 1946.

AN ACT FURTHER REGULATING THE USE OF FLARES AT LOCATIONS ON UNLIGHTED WAYS WHERE CERTAIN VEHICLES ARE DISABLED.

Chap. 375

Be it enacted, etc., as follows:

Section fourteen B of chapter eighty-five of the General Laws, inserted by chapter four hundred and thirty-two of the acts of nineteen hundred and thirty-eight, is hereby amended by striking out, in the ninth line, the word "lighted", — and by striking out the sentence included in the twenty-third to the twenty-eighth lines, inclusive, and inserting in place thereof the following sentence: — The word "flare" as used in this section shall mean either a lighted pot torch, a lighted red electric lamp, or a red emergency reflector warning device, which conforms to the requirements of the specifications adopted by the Interstate Commerce Commission for the construction and performance of such devices and bears the label of the Underwriters' Laboratory, Inc., — so that the first paragraph will read as follows: — Whenever any commercial vehicle having a gross weight in excess of five thousand pounds other than a motor bus or taxicab, or any automobile service truck, so called, becomes disabled upon the traveled portion of any street or highway which is not artificially lighted at night the operator of such vehicle shall, during the time when lights are required to be displayed on motor vehicles, place three flares on the traveled part of the way in the following positions: — one flare in the center of the traffic lane in which such disabled vehicle remains and distant approximately one hundred feet from such vehicle in the direction of traffic approaching in that lane; one flare not less than one hun-

G. L. (Ter. Ed.), 85, § 14B, etc., amended.

Lights at places where certain motor vehicles are disabled.

dred feet from such vehicle in the opposite direction in said lane; and one flare at the traffic side of such vehicle, not nearer than ten feet from the front or rear of such vehicle; provided, that if such vehicle is disabled within three hundred feet of a curve, crest of a hill, or other place where the view of such vehicle is obstructed, the flare in that direction shall be so placed as to afford ample warning to other persons using such way, and in no case less than one hundred feet, nor more than three hundred feet, from the disabled vehicle. The word "flare" as used in this section shall mean either a lighted pot torch, a lighted red electric lamp, or a red emergency reflector warning device, which conforms to the requirements of the specifications adopted by the Interstate Commerce Commission for the construction and performance of such devices and bears the label of the Underwriters' Laboratory, Inc.

Approved May 24, 1946.

Term "flare" defined.

Chap. 376 AN ACT RELATIVE TO THE ISSUANCE OF CERTAIN DISTINGUISHING PLATES TO CARRIERS OF PROPERTY BY MOTOR VEHICLE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 159B, § 9, etc., amended.

Distinguishing plate for certain business vehicles.

SECTION 1. Section nine of chapter one hundred and fifty-nine B of the General Laws, as amended by section one of chapter four hundred and eighty-three of the acts of nineteen hundred and forty-one, is hereby further amended by inserting after the word "dollar", in the sixteenth line, the following: —, except as provided in section ten B, — so as to read as follows: — *Section 9.* A single distinguishing plate shall be prescribed and furnished by the department annually for each of the vehicles necessary for the conduct of the business of the holder of the certificate or permit, and said plates shall be prominently displayed on the front of each such vehicle whenever operated. Each such plate shall be accompanied by a certificate issued by the department, which shall be in the possession of the driver at all times while operating and shall set forth the make, manufacturer's serial number, if any, and motor number, if any, of the vehicle with respect to which said plate shall be used. As used in this and the following section, the word "vehicle" shall include a tractor, with or without a semi-trailer unit. No such plate shall be transferred from one vehicle to another, except upon authority and with the consent of the department and upon payment of a transfer fee of one dollar, except as provided in section ten B. The annual charge for each plate shall be five dollars.

Fee.

G. L. (Ter. Ed.), 159B, § 10, etc., amended.

SECTION 2. Section ten of said chapter one hundred and fifty-nine B, as most recently amended by chapter three hundred and seventy-nine of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "non-transferable" in the twentieth line, as appearing in section two of chapter four hundred and eighty-three

of the acts of nineteen hundred and forty-one, the words: — , except as provided in section ten B, — so as to read as follows: — *Section 10.* Each interstate carrier by motor vehicle transporting property over the ways within the commonwealth for compensation shall apply to the department for an interstate license as defined in section two. Each application for an interstate license shall be made in the same manner as provided in paragraph (a) of section three for applications for certificates and shall be accompanied by a fee of ten dollars. Such license shall be issued in the name of the applicant. One interstate registration plate shall be issued by the department annually to each such licensee for each vehicle of said licensee operating over such ways upon payment of a fee of five dollars per plate, shall bear an identifying number, and shall be displayed as provided in section nine. Each such plate shall be accompanied by a certificate issued by the department, which shall be in the possession of the driver at all times while operating within the commonwealth and shall set forth the make, manufacturer's serial number, if any, and motor number, if any, of the vehicle with respect to which said plate shall be used. Each such plate shall be non-transferable, except as provided in section ten B. Whoever uses any such plate on any vehicle other than the one for which it is issued, and whoever permits such a plate issued to him to be so used, shall be punished by a fine of one hundred dollars.

Interstate carriers, license, registration, etc.

The fees provided by this section shall not be required of an interstate carrier having its principal place of business in another state in respect of the operation of motor vehicles in interstate commerce over the ways of this commonwealth if such other state, as finally determined by the department, does not require of an interstate carrier having its principal place of business within this commonwealth any similar fees or charges, however denominated or defined, for the privilege of operating vehicles in interstate commerce over the ways of such other state.

This section shall not apply to a motor carrier who or which is the holder of a certificate or permit issued under this chapter and whose operations as an interstate carrier within the commonwealth do not exceed the limitations of such certificate or permit either as to the territory served or the commodities transported.

Exemption.

SECTION 3. Said chapter one hundred and fifty-nine B is hereby further amended by inserting after section ten A the following section: — *Section 10B.* The department may issue distinguishing plates to motor carriers and interstate licensees to be used only on motor vehicles temporarily leased by such carriers. Any plates so issued may be transferred from one such vehicle to another such vehicle leased by a carrier to whom such plate was originally issued. The department shall keep a record of plates issued to each carrier for use on leased vehicles. The department may make such rules and regulations relative to the issue and use of such

G. L. (Ter. Ed.), 159B, new § 10B, added.

Special plates for temporarily leased motor vehicles.

plates as it deems necessary and proper, and for just cause may revoke, recall or prohibit the use of any plate issued under this section.

Approved May 24, 1946.

Chap. 377 AN ACT REGULATING THE SALE OF AGRICULTURAL, VEGETABLE AND FLOWER SEEDS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 94, § 1, etc., amended.

SECTION 1. Section one of chapter ninety-four of the General Laws, as amended, is hereby further amended by striking out the definitions of "Agricultural seeds" or "agricultural seed", "Vegetable seeds", "Noxious weed seeds" and "Weed seeds", all as appearing in section one of chapter three hundred and sixty-three of the acts of nineteen hundred and thirty-eight.

G. L. (Ter. Ed.), §§ 261A to 261L, inclusive, amended.
Definitions.

SECTION 2. Said chapter ninety-four is hereby further amended by striking out sections two hundred and sixty-one A to two hundred and sixty-one L, inclusive, as amended, and inserting in place thereof the eleven following sections: — *Section 261A.* The following words, as used in sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, unless the context otherwise requires, shall have the following meanings: —

The term "agricultural seeds" shall include the seeds of grass, forage, cereal, mangel beets and fiber crops and any other kinds of seeds commonly recognized within the commonwealth as agricultural or field seeds, and mixtures of such seeds.

The term "vegetable seeds" shall include the seeds of those crops which are grown in gardens or on truck farms and are generally known and sold under the name of vegetable seeds in the commonwealth.

The term "weed seeds" shall include the seeds of all plants generally recognized as weeds within the commonwealth, and shall include noxious-weed seeds.

Noxious-weed seeds are hereby divided into two classes, "Primary noxious-weed seeds" and "Secondary noxious-weed seeds", as hereinafter defined; provided, that the commissioner of agriculture, in this section and sections two hundred and sixty-one B to two hundred and sixty-one K, inclusive, called the commissioner, may add to or subtract from the list of seeds included under either definition whenever he finds, after public hearing, that such additions or subtractions are within the respective definitions.

(1) "Primary noxious-weed seeds" shall mean the seeds of perennial weeds such as not only reproduce by seed, but also spread by underground roots or stems, and which, when established, are highly destructive and difficult to control in the commonwealth by ordinary good cultural practice; and shall include the seeds of: — Canada thistle (*Cirsium Arvense*), field bind-weed (*Convolvulus Arvensis*), and quack grass (*Agropyron repens*).

(2) "Secondary noxious-weed seeds" shall mean the seeds of such weeds as are very objectionable in fields, lawns or gardens of the commonwealth, but can be controlled by good cultural practice; and shall include the seeds of dodder (*Cuscuta* Spp.), horse nettle (*Solanum Carolinense*), wild mustards (*Brassica* Spp.), wild garlic and wild onion (*Allium* Spp.), perennial sow thistle (*Sonchus Arvensis*), corncockle (*Agrostemima Githago*), buckhorn plantain (*Plantago Lanceolata*), and wild radish (*Raphanus Raphanistrum*).

The term "labeling" shall include all labels, and other written, printed or graphic representations, in any form, accompanying and pertaining to any seed, whether in bulk or in containers, and shall include invoices.

The term "advertisement" shall mean all representations, other than those on the label, disseminated in any manner or by any means, relating to seed within the scope of said sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive.

Section 261B. Except as otherwise provided in section two hundred and sixty-one D, each container of agricultural, vegetable or flower seed which is sold, offered for sale or exposed for sale within the commonwealth for sowing purposes shall bear thereon, or have attached thereto in a conspicuous place on one side of a plainly written or printed label or tag, in the English language the following information: —

Containers of agricultural, vegetable or flower seeds to be mailed or tagged with certain information as to contents.

1. *Agricultural Seeds.* — (a) The commonly accepted name and variety of each agricultural seed component in excess of five per cent of the whole, and the percentage by weight of each in the order of its predominance; provided, that in the case of barley, buckwheat, oats, rye and wheat, when the variety thereof is unknown, the label or tag shall have printed thereon the words "Variety Unknown". When more than one component is required to be named, the word "mixture" or the word "mixed" shall be shown conspicuously on the label.

(b) The lot number or other lot identification.

(c) The origin, if known, of alfalfa, red clover and field corn (except "hybrid corn"). If the origin is unknown, that fact shall be stated.

(d) The percentage by weight of all weed seeds.

(e) The name and approximate number of each kind of secondary noxious-weed seed, per ounce in groups (A) and (B) of this subsection, and per pound in groups (C) and (D) thereof, when present singly or collectively in excess of: —

(A) One seed or bulblet in each five grams of *Agrostis* spp., *Poa* spp., Rhodes grass, Bermuda grass, timothy, orchard grass, fescues except meadow fescue, alsike and white clover, reed canary grass, Dallis grass and other agricultural seeds of similar size and weight, or mixtures within this group.

(B) One seed or bulblet in each ten grams of ryegrass,

meadow fescue, foxtail millet, alfalfa, red clover, sweet clovers, lespedezas, smooth brome, crimson clover, *Brassica* spp., flax, *Agropyron* spp., and other agricultural seeds of similar size and weight, or mixtures within this group, or of this group with (A).

(C) One seed or bulblet in each twenty-five grams of proso, Sudan grass and other agricultural seeds of similar size and weight, or mixtures not specified in (A), (B) or (D).

(D) One seed or bulblet in each one hundred grams of wheat, oats, rye, barley, buckwheat, sorghums except Sudan grass, vetches and other agricultural seeds of a size and weight similar to or greater than those within this group, or any mixtures within this group.

(f) The percentage by weight of agricultural seeds other than those required to be named on the label.

(g) The percentage by weight of inert matter.

(h) For each named agricultural seed, (a) the percentage of germination, exclusive of hard seed; (b) the percentage of hard seed, if present; and (c) the calendar month and year the test was completed to determine such percentages. Following (a) and (b) the additional statement "total germination and hard seed" may be stated as such.

(i) The name and address of the person who labeled such seed or who sells or offers or exposes for sale such seed within the commonwealth.

2. *Vegetable Seeds.* — (a) The kind of seed and variety.

(b) For seed that germinate less than the standard last adopted by the director of the Massachusetts agricultural experiment station and approved by the commissioner under section two hundred and sixty-one I: percentage of germination, exclusive of hard seed; percentage of hard seed, if present; the calendar month and year the test was completed to determine such percentages; and the words "Below Standard" in not less than eight-point type.

(c) The name and address of the person who labeled such seed or who sells or offers or exposes for sale such seed within the commonwealth.

3. *Flower Seeds.* — (a) Kind of seed and variety.

(b) The name and address of the person who labeled such seed or who sells or offers or exposes for sale such seed within the commonwealth.

Section 261C. (a) Except as otherwise provided in section two hundred and sixty-one D, no person shall sell, offer for sale or expose for sale any agricultural, vegetable or flower seed within the commonwealth: —

(1) Unless the test to determine the percentage of germination required by section two hundred and sixty-one B was completed within a nine-month period, exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale or offering for sale or transportation; provided, that the records of such tests shall be available to the commissioner or his duly authorized assistants for a period of at least one year from date of test.

(2) Not labeled in accordance with the provisions of sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, or having a false or misleading labeling.

(3) Pertaining to which there has been a false or misleading advertisement.

(4) Containing primary noxious-weed seeds subject to tolerances and methods of determination prescribed in the regulations made under said sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive.

(b) No person shall, within the commonwealth:—

(1) Detach, alter, deface or destroy any label provided for in said sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, or the regulations promulgated thereunder, or alter or substitute seed, in a manner that may defeat the purposes of said sections.

(2) Disseminate any false or misleading advertisement concerning agricultural, vegetable or flower seed.

(3) Hinder or obstruct any authorized person in the performance of his duties under said sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive.

(4) Fail to comply with an official order to withhold from sale certain seeds as provided in section two hundred and sixty-one F.

Section 261D. (a) Sections two hundred and sixty-one B Exemptions. and two hundred and sixty-one C shall not apply—

(1) To seed or grain not intended for sowing purposes.

(2) To seed in storage in, or consigned to, a seed cleaning or processing establishment for cleaning or processing; provided, that any labeling or other representation made with respect to the unclean seed shall be subject to sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive.

(b) No person shall be subject to the penalties of sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, for having sold or offered or exposed for sale in the commonwealth any agricultural, vegetable or flower seeds which were incorrectly labeled or represented as to kind, variety or origin, which seeds cannot be identified by examination thereof, unless he has failed to obtain an invoice or grower's declaration giving kind, variety and origin, if required, and to take such other precautions as may be necessary to insure the identity to be that stated.

Section 261E. The commissioner and his duly authorized assistants shall have authority to enforce said sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, and to prosecute all violations thereof. Before any prosecution is begun by said commissioner or any of his duly authorized assistants, the parties concerned shall be given an opportunity to be heard before said commissioner or a person designated by him for such purpose. The parties concerned shall be given a reasonable notice of the hearing, specifying Enforcement of provisions.

the day, hour and place thereof, and accompanied by a description of the alleged violation.

Access to
stores, etc.

Taking of
samples for
analysis, etc.

Section 261F. (a) The commissioner, either in person or his assistants, shall have free access at all reasonable hours to each building or other place where agricultural seeds or mixtures thereof, vegetable seeds or flower seeds are stored, sold or offered or exposed for sale, for the purpose of inspection of such seeds, and, upon tendering the market price, may take samples of such agricultural, vegetable and flower seeds or mixtures thereof for tests and analyses. Such samples shall be thoroughly mixed and two official samples taken therefrom; each official sample shall be securely sealed. Such official samples shall be submitted by said commissioner or his duly authorized assistants to the director of the Massachusetts agricultural experiment station, in this section and in sections two hundred and sixty-one G to two hundred and sixty-one K, inclusive, called the director, for testing and analyzing. One of such samples shall be held by the director or his duly authorized assistant at the disposal of the person named on the label as the vendor of the agricultural seed samples, for six months after the results of the analysis have been reported, as provided in section two hundred and sixty-one H, and the other sample retained by the director or such assistant for analysis.

(b) The commissioner shall co-operate with the United States Department of Agriculture in seed law enforcement.

(c) The commissioner may order that any agricultural seeds or mixtures thereof, vegetable seeds or flower seeds, the containers of which he finds are not tagged or labeled as provided in section two hundred and sixty-one B, or which do not conform to the statements made upon the tags or labels attached to the containers thereof, be withheld from sale until properly tagged or labeled or until made to conform to the statements made upon the tags or labels attached to the containers thereof. Any person aggrieved by such an order may, within ten days after the entry thereof, appeal therefrom by petition to the superior court in the county where he resides or has his usual place of business or in the county of Suffolk. The court shall hear such petition speedily in accordance with the usual course of procedure in equity, and may affirm, modify or revoke such order. Such order shall remain in force until so modified or revoked.

Seizure
of seeds.

Section 261G. Any lot of agricultural, vegetable or flower seed not in compliance with the provisions of sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, shall be subject to seizure on complaint of the commissioner to a court of competent jurisdiction in the area in which the seed is located. If the court finds the seed to be in violation of said sections, and orders the condemnation of such seed, it shall be denatured, processed, destroyed, re-labeled or otherwise disposed of in compliance with the laws of the commonwealth; provided, that the court shall not order such disposition of such seed without first having given

the claimant an opportunity to apply to the court for the release of such seed or permission to process or relabel it to bring it into compliance with said sections.

Section 261H. The director shall cause such tests and analyses as he may specify to be made of samples collected under section two hundred and sixty-one F in order to determine the quality of the seeds contained in such samples. The results of all such analyses shall be reported to the commissioner. To enable the director to determine the trueness to type or variety of vegetable and other seeds he shall provide that field tests be made of such samples of seeds as he may designate, and may publish the results of all such tests and analyses as are made in accordance with the provisions of this section. Analyses and tests.

Section 261I. The director, after a reasonable notice and hearing, and with the approval of the commissioner, shall adopt vegetable seed germination standards, prescribe rules and regulations from time to time, and in like manner modify or amend rules and regulations governing the methods of sampling, inspecting, analyzing, testing and examining agricultural, vegetable and flower seed and the tolerances to be followed in the administration of sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, which shall be in general accord with officially prescribed practice in interstate commerce, and such other rules and regulations as may be necessary to secure the efficient enforcement of said sections. Rules and regulations.

Section 261J. Any person residing or doing business in the commonwealth may submit to the director samples of seeds for test and analysis, subject to such rules and regulations as may be adopted by the director, including a reasonable charge or fee for such test and analysis. Receipts under this section shall be paid into the state treasury. Test and analysis of seeds for persons authorized.

Section 261K. Whoever sells, offers or exposes for sale any lot of agricultural seeds or mixtures thereof or vegetable seeds or flower seeds, without complying with the requirements of sections two hundred and sixty-one A to two hundred and sixty-one J, inclusive, applicable thereto, or in violation of any order, under section two hundred and sixty-one F, of the commissioner, or of the superior court if an appeal is taken, or whoever falsely marks or labels any such seed or mixture or impedes, obstructs or hinders the commissioner or any of his duly authorized agents, or the director or any of his duly authorized assistants, in the discharge of the authority or duties conferred or imposed by any provision of said sections, shall be punished by a fine of not more than five hundred dollars. *Approved May 24, 1946.* Penalty.

Chap.378 AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF THE
LOWELL TEXTILE INSTITUTE TO GRANT CERTAIN DEGREES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 74,
§ 47E, etc.,
amended.

Degrees.

Chapter seventy-four of the General Laws is hereby amended by striking out section forty-seven E, as most recently amended by chapter twenty-two of the acts of nineteen hundred and thirty-five, and inserting in place thereof the following section: — *Section 47E.* The board may grant the degrees of bachelor of science in textile engineering, bachelor of science in textile chemistry and bachelor of science in textile manufacturing to students who have taken the four year day course in the departments of textile engineering, textile chemistry and textile manufacturing, respectively, and have passed the examinations required for graduation.

The board may also grant the degrees of master of science in textile chemistry, master of science in textile engineering and master of science in textile manufacturing to students who have completed satisfactorily graduate work of not less than one year resident instruction as prescribed by the board and approved by the commissioner.

Approved May 24, 1946.

Chap.379 AN ACT PROVIDING ADEQUATE NOTICE TO SUSPENDED CIVIL
SERVICE EMPLOYEES, AND ESTABLISHING THE COMPENSA-
TION OF PERSONS HOLDING HEARINGS RELATIVE TO SUCH
SUSPENSION.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 31,
§ 43, etc.,
amended.

Automatic
reinstatement.

Section forty-three of chapter thirty-one of the General Laws, as amended, is hereby further amended by striking out paragraph (f), as inserted therein by section one of chapter six hundred and sixty-seven of the acts of nineteen hundred and forty-five, and inserting in place thereof the following paragraph: —

(f) An officer or employee shall automatically be reinstated at the end of the first period for which he was suspended. Any subsequent reinstatement after suspension shall be subject to the approval of the director, and, if denied, an appeal may be taken to the commission as provided in section two (b). The notice required by paragraph (a) of this section to be given to an employee whom it is proposed to suspend after a prior suspension shall state that his reinstatement after such suspension is subject to the approval of the director. Whenever any hearing is held by a member of the commission or some disinterested person designated by the chairman of the commission, as authorized by paragraph (b) of this section, such person shall be paid a sum not to exceed fifteen dollars per day; and such compensation shall be in addition to any compensation provided for in section two A of chapter thirteen.

Approved May 24, 1946.

AN ACT FURTHER REGULATING THE LENGTH OF MOTOR TRUCKS. Chap.380

Be it enacted, etc., as follows:

Section nineteen of chapter ninety of the General Laws, as most recently amended by chapter three hundred and forty-one of the acts of the current year, is hereby further amended by inserting after the word "bus" in the fifth line, as appearing in chapter three hundred and fourteen of the acts of nineteen hundred and forty-one, the words:— or truck, — and by striking out, in the sixteenth line, as so appearing, the word "forty" and inserting in place thereof the word:— forty-five, — so that the first sentence will read as follows:— No motor vehicle or trailer, the outside width of which is more than ninety-six inches or the extreme over-all length of which is more than thirty-three feet or, in the case of a motor bus or truck, thirty-five feet, shall be operated on any way without a special permit so to operate from the board or officer having charge of such way or, in case of a state highway or a way determined by the department of public works to be a through route, from said department; provided, that such width may be exceeded by the lateral projection of pneumatic tires beyond the rims of the wheels for such distance on either side of the vehicle or trailer as will not increase its outside width above one hundred and two inches; and provided, further, that the extreme over-all length of a semi-trailer unit, wherever used, may exceed thirty-three feet but not forty-five feet, and that such length of any other motor vehicle, or any trailer, when used for the transportation of poles or single units of lumber or metal, may exceed thirty-three feet but not sixty feet, except as authorized by a special permit granted as aforesaid.

G. L. (Ter. Ed.), 90, § 19, etc., amended.

Dimensions of motor trucks and trailers.

Approved May 24, 1946.

AN ACT INCREASING THE TAX IMPOSED BY THE COMMONWEALTH ON AMOUNTS WAGERED AT HORSE AND DOG RACING MEETINGS CONDUCTED UNDER THE PARI-MUTUEL OR CERTIFICATE SYSTEM OF WAGERING. Chap.381

Whereas, This act increases the tax on the amounts wagered at horse and dog racing meetings conducted under the pari-mutuel or certificate system of wagering, including those taking place in the near future, and the deferred operation of this act would tend in part to defeat its purpose by depriving the commonwealth of necessary revenue, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section five of chapter one hundred and twenty-eight A of the General Laws, as most recently amended by chapter four hundred and seventy-

G. L. (Ter. Ed.), 128A, § 5, etc., amended.

Horse racing
meeting,
commission
payable by
licensee.

three of the acts of nineteen hundred and thirty-nine, is hereby further amended by striking out the first sentence and inserting in place thereof the following:— Each person licensed to conduct a horse racing meeting, other than a licensee holding a racing meeting in connection with a state or county fair, shall pay to the commission on the day following each day of such horse racing meeting, a sum equal to three and one half per cent of so much of the total amount deposited on the preceding day by the patrons so wagering at such meeting as does not exceed seven hundred thousand dollars, four per cent of so much thereof as exceeds seven hundred thousand dollars but does not exceed eight hundred thousand dollars, four and one half per cent of so much thereof as exceeds eight hundred thousand dollars but does not exceed nine hundred thousand dollars, and five per cent of so much thereof as exceeds nine hundred thousand dollars, said percentages to be paid from the ten per cent withheld, as provided in this section, from the total amount wagered.

G. L. (Ter.
Ed.), 128A,
§ 5, etc.,
further
amended.

Dog racing
meeting,
commission
payable by
licensee.

SECTION 2. Said third paragraph of section five of chapter one hundred and twenty-eight A, as so amended, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:— Each person licensed to conduct a dog racing meeting, other than a licensee holding a racing meeting in connection with a state or county fair, shall pay to the commission on the day following each day of such dog racing meeting, a sum equal to three and one half per cent of so much of the total amount deposited on the preceding day by patrons so wagering at such meeting as does not exceed seventy-five thousand dollars, five per cent of so much thereof as exceeds seventy-five thousand dollars but does not exceed one hundred and ten thousand dollars, six per cent of so much thereof as exceeds one hundred and ten thousand dollars but does not exceed one hundred and forty thousand dollars, seven per cent of so much thereof as exceeds one hundred and forty thousand dollars but does not exceed two hundred and fifty thousand dollars, seven and one half per cent of so much thereof as exceeds two hundred and fifty thousand dollars but does not exceed three hundred and seventy-five thousand dollars, and eight per cent of so much thereof as exceeds three hundred and seventy-five thousand dollars, said percentages to be paid from the fifteen per cent withheld, as provided in this section, from the total amount wagered.

SECTION 3. In addition to any amount required to be withheld under the provisions of section five of chapter one hundred and twenty-eight A of the General Laws by a licensee conducting a horse or dog racing meeting, such licensee shall withhold an amount equal to one per cent of the total amount wagered on each day of such meeting conducted during the year nineteen hundred and forty-six and shall pay the same to the state racing commission on

the day following. This section shall not apply to a harness horse racing meeting, nor shall it apply to a horse or dog racing meeting conducted in connection with a state or county fair.

Approved May 25, 1946.

AN ACT RELATIVE TO THE TENURE OF THE POLICE SERGEANT OF THE CITY OF BOSTON ASSIGNED TO DUTY IN THE OFFICE OF THE DISTRICT ATTORNEY FOR THE SUFFOLK DISTRICT.

Chap. 382

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the employment of Patrick J. Magner, a sergeant in the police department of the city of Boston and assigned to duty in the office of the district attorney for the Suffolk district, who was re-employed under the provisions of chapter sixteen of the acts of nineteen hundred and forty-two, may be continued after June first in the current year until he attains the age of seventy.

SECTION 2. This act shall take effect upon its passage.

Approved May 31, 1946.

AN ACT REVIVING J. E. NEWTON COMPANY FOR CERTAIN PURPOSES.

Chap. 383

Whereas, The deferred operation of this act would delay the conveyance of certain property by the corporation revived thereby and it is essential that such conveyance be effected as soon as possible; therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

J. E. Newton Company, a corporation dissolved by section one of chapter two hundred and three of the acts of nineteen hundred and twenty-three, is hereby revived and continued for the sole purpose of selling and conveying certain property situated in the county of Bristol and of distributing the proceeds of said sale among those entitled thereto.

Approved May 31, 1946.

AN ACT TO CLARIFY THE BORROWING AUTHORITY OF FIRE AND WATER DISTRICTS.

Chap. 384

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter forty-four of the General Laws, as amended by chapter three hundred and seventy-six of the acts of nineteen hundred and forty-one, is hereby further amended by adding at the end the following: — ; provided, that debt of any such district incurred for any purpose mentioned in clause (3), (4), (5), (6) or (7)

G. L. (Ter.
Ed.), 44, § 9,
etc., amended.

of section eight under any special act heretofore or hereafter enacted shall not be included in the amount of the debt which is subject to the limit prescribed by said section eight for debt for such purposes.

SECTION 2. This act shall take effect upon its passage.

Approved May 31, 1946.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 6, 1946.

Honorable FREDERIC W. COOK, *Secretary of the Commonwealth,
State House, Boston.*

Sir: — I, Maurice J. Tobin, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the thirty-first day of May in the year nineteen hundred and forty-six, being Chapter 384 of the Acts of 1946 entitled, "An Act to clarify the Borrowing Authority of Fire and Water Districts", should take effect forthwith and that it is an emergency law and that the facts constituting the emergency are as follows:

Because the deferred operation of the Act will cause substantial financial loss to districts which are entitled to the benefits of the Act.

Very truly yours,

MAURICE J. TOBIN,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 7, 1946.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at nine o'clock and thirty minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and eighty-four of the acts of nineteen hundred and forty-six.

F. W. COOK,
Secretary of the Commonwealth.

Chap. 385 AN ACT AUTHORIZING THE TOWNS OF SHELBURNE AND BUCKLAND TO JOINTLY ESTABLISH AND MAINTAIN RECREATION CENTERS IN EITHER OR BOTH OF SAID TOWNS, AND TO APPROPRIATE MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The towns of Shelburne and Buckland may jointly establish and maintain one or more recreation centers in either or both of said towns and each of said towns may appropriate money therefor. Such center or centers shall be under the control of a recreation commission consisting

of five citizens of each of said towns to be appointed by the respective selectmen thereof. The initial membership of said commission shall be established by the appointment by the selectmen of each of said towns of members on the part of their town as follows: — one to serve until the next annual town election, one to serve until the annual town election in the year nineteen hundred and forty-eight, one to serve until the annual town election in the year nineteen hundred and forty-nine, one to serve until the annual town election in the year nineteen hundred and fifty and one to serve until the annual town election in the year nineteen hundred and fifty-one. Upon the expiration of the terms of office of the members of said commission, their respective successors shall be elected by the voters of their respective towns for terms of five years each. Except as otherwise provided herein, the establishment and maintenance of such recreation center or centers shall be subject to section fourteen of chapter forty-five of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 31, 1946.

AN ACT INCREASING THE TIME DURING WHICH PAYMENTS UNDER THE WORKMEN'S COMPENSATION ACT FOR INJURY TO AN EYE SHALL BE MADE.

Chap. 386

Be it enacted, etc., as follows:

SECTION 1. Section thirty-six of chapter one hundred and fifty-two of the General Laws, as most recently amended by chapter three hundred and thirty-three of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the second line of paragraph (f), the word "fifty" and inserting in place thereof the words: — one hundred and twenty, — so that said paragraph will read as follows: —

G. L. (Ter. Ed.), 152, § 36, etc., amended.

(f) For the reduction to twenty seventieths of normal vision in either eye, with glasses, a period of one hundred and twenty weeks.

Payments for specific injuries.

SECTION 2. Section one of this act shall apply only in case of personal injuries occurring on or after its effective date.

Application.

SECTION 3. Chapter one hundred and fifty-two of the General Laws, as amended, is hereby further amended by inserting after section two the following new section: —
Section 2A. Every act, in amendment of this chapter, in effect on the effective date of this section or thereafter becoming effective which increases the amount or amounts of compensation payable to an injured employee or his dependents shall, for the purposes of this chapter, be deemed to be substantive in character and shall apply only to personal injuries occurring on and after the effective date of such act, unless otherwise expressly provided. Every act, in amendment of this chapter, in effect on the effective

G. L. (Ter. Ed.), 152, new § 2A, added.

Effective date of amendments to chapter as relate to increases in compensation.

date of this section or thereafter becoming effective which is not deemed to be substantive in character within the meaning of this section shall be deemed to be procedural or remedial only, in character, and shall have application to personal injuries irrespective of the date of their occurrence, unless otherwise expressly provided.

Approved May 31, 1946.

Chap. 387 AN ACT RELATIVE TO THE TAXATION OF MARINE, OR FIRE AND MARINE, INSURANCE COMPANIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 63, § 22, etc., amended.

SECTION 1. Section twenty-two of chapter sixty-three of the General Laws, as most recently amended by section one of chapter seven hundred and twenty-one of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "twenty" in the fifth line the words:— and marine, or fire and marine, insurance companies with respect to business taxable under section twenty-nine A,— so as to read as follows:— *Section 22.* Every domestic insurance company coming within the scope of the definition of a domestic company in section one of chapter one hundred and seventy-five, except life insurance companies with respect to business taxable under section twenty and marine, or fire and marine, insurance companies with respect to business taxable under section twenty-nine A, shall annually pay an excise of one per cent upon the gross premiums for all policies written or renewed, all additional premiums charged, and all assessments made by such company on policyholders during the preceding calendar year, exclusive of reinsurance; but such premiums and assessments for policies written or renewed for insurance, exclusive of reinsurance, of property or interests in other states or countries where a tax is actually paid by such company, or its agents, shall not be so taxed.

Taxation of domestic fire, marine and other insurance companies.

G. L. (Ter. Ed.), 63, § 23, etc., amended.

SECTION 2. Section twenty-three of said chapter sixty-three, as most recently amended by section two of said chapter seven hundred and twenty-one, is hereby further amended by inserting after the word "twenty-one" in the fifth line the words:— and marine, or fire and marine, insurance companies with respect to business taxable under section twenty-nine A,— so as to read as follows:— *Section 23.* Every foreign insurance company coming within the scope of the definition of a foreign company in section one of chapter one hundred and seventy-five, except life insurance companies with respect to business taxable under sections twenty and twenty-one and marine, or fire and marine, insurance companies with respect to business taxable under section twenty-nine A, shall annually pay an excise upon the gross premiums for all policies written or renewed, all additional premiums charged, and all assessments made during the preceding calendar year for insurance

Taxation of similar foreign companies.

of property or interests in this commonwealth, or which are subjects of insurance by contracts issued through companies or agents therein, exclusive of reinsurance, at the rate of two per cent but not less in amount than would be imposed by the laws of the state or country under which such company is organized upon a like insurance company incorporated in this commonwealth, or upon its agents, if doing business to the same extent in such state or country.

SECTION 3. Section twenty-six of said chapter sixty-three, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fifth line, the words "twenty and twenty-five" and inserting in place thereof the words:—twenty, twenty-five and twenty-nine A, — so as to read as follows:— *Section 26.* The books, papers and accounts of every insurance company and of its agents shall be open at all times to inspection and examination by the commissioner and the commissioner of insurance, or their duly authorized representatives, for the purpose of verifying the accuracy of the returns made under sections twenty, twenty-five and twenty-nine A.

G. L. (Ter. Ed.), 63, § 26, amended.

Books, etc., may be examined.

SECTION 4. Section twenty-seven of said chapter sixty-three, as so appearing, is hereby amended by striking out, in the second and in the twelfth lines, the words "twenty or twenty-five" and inserting in place thereof, in each instance, the words:—twenty, twenty-five or twenty-nine A, — so as to read as follows:— *Section 27.* Every insurance company neglecting to make the return required by section twenty, twenty-five or twenty-nine A shall forfeit twenty-five dollars for every day during which such neglect continues. If any company neglects to make such return for ten days after notice thereof addressed to it has been deposited in the post office, postage prepaid, it shall further forfeit five hundred dollars, and upon an information by the attorney general at the relation of the commissioner it may be restrained from the further transaction of its business in this commonwealth until it has made such return; but such penalties shall not be incurred if it is proved that the return was duly made and deposited in the post office, postage prepaid, properly directed to the commissioner, and that there was no neglect. If any return required by said section twenty, twenty-five or twenty-nine A contains a false statement which is known, or by the exercise of reasonable care might have been known, to the officers making it, to be false, such company shall be liable for the amount of tax thereby lost to the commonwealth, and each offending officer shall forfeit not less than five hundred nor more than five thousand dollars.

G. L. (Ter. Ed.), 63, § 27, amended.

Penalty for failure to make return, etc., and for false statement.

SECTION 5. Section twenty-eight of said chapter sixty-three, as most recently amended by chapter three hundred and forty-two of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the second and third paragraphs and inserting in place thereof the two following paragraphs:—

G. L. (Ter. Ed.), 63, § 28, etc., amended.

Assessment
and notice
to insurance
companies of
tax liability.

The commissioner shall assess upon all insurance companies liable to taxation under sections twenty-two, twenty-three and twenty-nine A the excise thereby imposed, and shall forthwith upon making such assessment give to every such company notice of the amount thereof. Such excise shall become due and payable to the commissioner thirty days after the date of such notice but not later than June first.

Liability for the taxes imposed by sections twenty to twenty-three, inclusive, and twenty-nine A, or by sections two and three of chapter five hundred and thirty-one of the acts of nineteen hundred and forty-three shall be incurred by reason of the transaction of business during the calendar year preceding that in which the assessment provided for in this section is made.

G. L. (Ter.
Ed.), 63, new
§ 29A, added.

Taxation
of certain
marine, or fire
and marine
insurance
companies.

SECTION 6. Said chapter sixty-three is hereby further amended by inserting after section twenty-nine, as appearing in the Tercentenary Edition, the following section: — *Section 29A.* (1) Every marine, or fire and marine, insurance company authorized to transact business in the commonwealth, coming within the scope of the definition of a domestic company or of a foreign company in section one of chapter one hundred and seventy-five, shall, with respect to all insurance written within the commonwealth upon hulls, freights, or disbursements, or upon goods, wares, merchandise and all other personal property and interests therein, in course of exportation from any country, importation into any country, or transportation coastwise, including transportation by land or water from point of origin to final destination in respect to, appertaining to, or in connection with, any and all risks or perils of navigation, transit or transportation, any portion of which exportation, importation, transportation, navigation, transit, or shipment is upon any ocean, and upon the property while being prepared for and while awaiting shipment, and during any delays, storage, transshipment or reshipment incident thereto, including war risks and marine builders risks, pay a tax of five per cent on its taxable underwriting profit, ascertained as hereinafter provided, from such insurance written within the commonwealth.

(2) The taxable underwriting profit on such marine insurance written within the commonwealth, as determined in subsection (6), shall be that proportion of the total underwriting profit of such company from such marine insurance written within the United States for the taxable period which the amount of net premiums of such company from such marine insurance written within the commonwealth for the taxable period bears to the amount of net premiums of such company from such marine insurance written within the United States for the taxable period.

(3) The underwriting profit of such company on such insurance written within the United States shall be determined by deducting from the net earned premiums on such marine insurance written within the United States during

the taxable year, meaning thereby the calendar year next preceding the date on which such tax is due, the following items: —

(a) Net losses incurred, meaning thereby gross losses incurred during such calendar year on such marine insurance written within the United States, less reinsurance claims collected or collectible and less all net salvages and all recoveries collected or collectible from any source during such calendar year on such losses and on losses deducted under this section in any prior year.

(b) Net expenses incurred, meaning thereby expenses incurred during such calendar year on such marine insurance written within the United States, including all state and federal taxes in connection therewith; but in no event shall the aggregate amount of such net expenses deducted exceed forty per cent of the net premiums on such marine insurance ascertained as hereinafter provided; and

(c) Net dividends paid or credited to policyholders or insureds during such calendar year on such marine insurance written within the United States.

(4) In determining the amount of the tax payable under subsection (1), net earned premiums on such marine insurance written within the United States during the taxable year shall be arrived at as follows: From gross premiums written on such marine insurance during the taxable year there shall be deducted any and all return premiums, premiums on policies not taken, premiums paid for reinsurance and net unearned premiums on all such unexpired risks at the end of the taxable year; and there shall be added to such amount net unearned premiums on such unexpired risks at the end of the calendar year next preceding the taxable year.

(5) In determining the amount of such tax, net expenses incurred shall be determined as the sum of the following:

(a) Specific expenses incurred directly and specifically in connection with such marine insurance, including all commissions, agency expenses, taxes, licenses, fees, and loss-adjustment expenses, less recoveries or reimbursements on account of or in connection with such commissions or other expenses collected or collectible because of reinsurance or from any other source; and

(b) General expenses incurred on such marine insurance, consisting of that proportion of general or overhead expenses incurred in connection with such insurance which the net premiums on such marine insurance written by such company during the taxable year bear to the total net premiums from all classes of insurance written by it during the taxable year. Within the meaning of this paragraph, general or overhead expenses shall include salaries of officers and employees, printing and stationery, all taxes imposed by the commonwealth and the United States, except as included in paragraph (a) of this subsection, and all other expenses of such company not included in said paragraph (a), after de-

ducting expenses and taxes specifically chargeable to any or all other classes of insurance.

(6) In determining the amount of the tax payable under subsection (1), the taxable underwriting profit, if any, of such company on all such marine insurance written within the commonwealth shall be ascertained as follows:—

(a) In the case of every such company which has written any such business within the commonwealth during three calendar years immediately preceding the year in which such taxes are payable, the taxable underwriting profit shall be determined by adding or subtracting, as the case may be, the underwriting profit or loss on all such insurance written within the United States, ascertained as hereinbefore provided, for each of such three years, and dividing by three.

(b) In the case of every such company other than as specified in paragraph (a) of this subsection, such taxable underwriting profit, if any, shall be the underwriting profit, if any, on such marine insurance business written within the commonwealth during the taxable year, ascertained as hereinbefore provided; but after such company has written such marine insurance business within the commonwealth during three calendar years, an adjustment shall be made on the three year average basis by ascertaining the amount of tax payable in accordance with paragraph (a) of this subsection. Any tax credit resulting from such adjustment may be refunded without interest upon written application at the time of filing the required return, or applied toward the payment of any tax due or which may thereafter become due.

(7) Every insurance company liable to taxation under this section shall annually, on or before the first day of April, make a return to the commissioner, on oath of its secretary or other officer having knowledge of the facts, setting forth the underwriting profit or loss, ascertained as hereinbefore provided, for the taxable year or years required by the pertinent paragraph of subsection (6), in such form and containing such other information as the commissioner may deem necessary for the determination of the excise imposed by this section. For cause, the commissioner may extend the time within which any such statement may be filed but not to a date later than May first.

(8) Every company liable to taxation under this section, when it ceases to write any such marine insurance within the commonwealth, or discontinues business therein, shall thereupon notify the commissioner in writing within five days and shall within sixty days thereafter file with the commissioner a report of all such marine premiums written from January first of the year of such cessation to and including the date upon which the company ceased to do business in the commonwealth, and an excise of one tenth of one per cent on such net marine premiums shall be immediately due and payable, and shall be in lieu of the excise provided by this section for such period.

(9) The tax provided for in this section shall apply to the business of the year ending December thirty-first, nineteen hundred and forty-seven, and subsequent years.

SECTION 7. This act shall take effect on January first, Effective date. nineteen hundred and forty-eight.

Approved May 31, 1946.

AN ACT PROVIDING FOR DESIGNATION BY THE SCHOOL COMMITTEE OF THE CITY OF BOSTON OF CERTAIN EMPLOYEES OF THE CHILD WELFARE DIVISION OF THE INSTITUTIONS DEPARTMENT OF SAID CITY TO ACT ALSO AS SUPERVISORS OF ATTENDANCE. Chap. 388

Be it enacted, etc., as follows:

The school committee of the city of Boston shall designate any male child-guidance social worker of the child welfare division of the institutions department of said city to act also as a supervisor of attendance in said city; provided, that the person so designated shall have previously passed an open competitive civil service examination for the position of such supervisor. Any such person shall exercise and perform the powers and duties conferred and imposed upon supervisors of attendance in said city by general or special law, and shall receive such compensation for acting as such supervisor as may be established by said committee.

Approved May 31, 1946.

AN ACT AUTHORIZING THE TOWN OF SOUTHBRIDGE TO ESTABLISH AN AIRPORT COMMISSION, AND DEFINING THE POWERS AND DUTIES OF SAID COMMISSION. Chap. 389

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Southbridge an airport commission, consisting of five unpaid commissioners and hereinafter called the commission, to have the custody, care and management of the airport and air navigation facilities owned by the town. The initial members of the commission shall be appointed by the board of selectmen, one to serve for one year, one to serve for two years, one to serve for three years, one to serve for four years and one to serve for five years, from the date of their appointment, and thereafter, when the term of any member expires, his successor shall be appointed by the board of selectmen to serve for five years. In all cases, the members shall serve until their successors are qualified. The members of the commission shall, forthwith after each appointment, elect one of its members to act as chairman for the ensuing year. Any vacancy in the commission may be filled by the board of selectmen, and the person appointed shall perform the duties of the office during the balance of the unexpired term.

SECTION 2. Subject to appropriation by vote of the town, the commission shall appoint and fix the salaries of all employees appointed or employed by it.

SECTION 3. The commission may let or lease said airport or any part thereof for a period not to exceed twenty years, with the approval of the board of selectmen.

SECTION 4. The commission may adopt, and may from time to time alter, amend or repeal, rules and regulations for the use of said airport and for the safety of the public thereon. Such rules and regulations shall not be effective until approved by the Massachusetts aeronautics commission and published in the same manner that by-laws and ordinances are required to be published. Such rules and regulations shall conform to and be consistent with the laws of the commonwealth and the rules and regulations of the Massachusetts aeronautics commission and shall be kept in conformity, as nearly as may be, with the then current federal legislation governing aeronautics and the regulations duly promulgated thereunder and rules and standards issued from time to time pursuant thereto.

SECTION 5. For the purposes of this act, all pertinent provisions of sections thirty-five to fifty-two, inclusive, of chapter ninety of the General Laws shall apply.

SECTION 6. This act shall take full effect upon its acceptance by a majority of the voters of the town of Southbridge present and voting thereon at a town meeting called for the purpose, but not otherwise.

Approved May 31, 1946.

Chap.390 AN ACT PROVIDING THAT ALL RELEVANT MEDICAL INFORMATION SHALL BE FILED WITH THE INDUSTRIAL ACCIDENT BOARD IN WORKMEN'S COMPENSATION CASES AND BE OPEN TO INSPECTION BY CERTAIN PERSONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 152, § 20, etc., amended.

Medical records open to inspection.

Section twenty of chapter one hundred and fifty-two of the General Laws, as most recently amended by chapter four hundred and sixty-four of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the last two sentences and inserting in place thereof the two following sentences:— All medical records and reports of hospitals, clinics and physicians of the insurer or of the employee shall be filed with and open to the inspection of the department so far as relevant to any matter before it. Such reports shall be open to the inspection of any party.

Approved May 31, 1946.

Chap.391 AN ACT AUTHORIZING THE TOWN OF NORWOOD TO RETIRE WILLIAM H. SULLIVAN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good and in consideration of his long and meritorious service,

the town of Norwood, acting by its board of selectmen, may retire William H. Sullivan, who has served the town faithfully for nineteen years as chief of police, on an annual pension of sixteen hundred and fifty dollars, payable monthly, equal to one half the salary received by him at the time of his retirement.

SECTION 2. This act shall take full effect upon its acceptance by a majority of the registered voters of said town present and voting thereon at a special town meeting called for the purpose and held during the current year, but not otherwise.

Approved May 31, 1946.

AN ACT AUTHORIZING WELLESLEY HOSPITAL FUND, INCORPORATED TO TRANSFER ITS PROPERTY TO NEWTON-WELLESLEY HOSPITAL.

Chap. 392

Be it enacted, etc., as follows:

SECTION 1. Wellesley Hospital Fund, Incorporated, a corporation organized and existing under the laws of the commonwealth, is hereby authorized, in conformity to the pertinent provisions of its charter, to transfer any or all its property, now or hereafter held, to Newton-Wellesley Hospital, a corporation organized and existing under the laws of the commonwealth, which is the owner of a hospital now maintained in the vicinity of Wellesley; the purpose of such transfer being to enable the application of the property so transferred, or the proceeds thereof, to the altering, adding to, or replacing of Newton-Wellesley Hospital, or the equipment thereof.

SECTION 2. All the authority conferred by this act is hereby declared to be limited to such authority as the general court is constitutionally competent to grant.

Approved May 31, 1946.

AN ACT TO ABOLISH CERTAIN IMPLIED EXEMPTIONS FROM LOCAL TAXATION.

Chap. 393

Be it enacted, etc., as follows:

Chapter fifty-nine of the General Laws is hereby amended by inserting after section three A the following section:—

Section 3B. All real estate situated within the commonwealth heretofore or hereafter acquired by any corporation by eminent domain and all such real estate heretofore or hereafter purchased by any corporation when it could have been so acquired shall, unless expressly exempt by the charter of such corporation or by statute, be subject to taxation. This section shall not apply to real estate of the commonwealth or of any of its political subdivisions; nor shall it apply to real estate of a railroad corporation, which shall continue to be governed by section eighty-seven of chapter one hundred and sixty and any other provisions of law applicable thereto.

G. L. (Ter. Ed.), 59, new § 3B, added.

Certain real estate acquired by corporation subject to local taxation.

Approved May 31, 1946.

Chap. 394 AN ACT RELATIVE TO THE TAXATION OF CERTAIN CLASSES OF CORPORATIONS IN CASE EXISTING STATUTES APPLICABLE THERETO ARE DECLARED UNCONSTITUTIONAL OR INOPERATIVE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 63, § 52, amended.

Taxation of domestic business corporations in case existing statutes applicable thereto are declared unconstitutional or inoperative.

SECTION 1. Section fifty-two of chapter sixty-three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the twentieth line, the word "three" and inserting in place thereof the word: — five, — so that the second sentence will read as follows: — In such event, all laws applicable to domestic business corporations, including domestic manufacturing corporations as so defined, which were repealed or were made inoperative as to, or inapplicable to, such corporations by chapter three hundred and fifty-five of the General Acts of nineteen hundred and nineteen shall thereupon be revived and become operative and applicable in respect to such corporations and shall be continued in full force and effect from the first day of January antedating by five years the first day of January of the calendar year in which such final judgment, order or decree is entered, to the same extent as if said chapter three hundred and fifty-five had not been enacted.

G. L. (Ter. Ed.), 63, § 52, further amended.

Taxation of foreign business corporations in case existing statutes applicable thereto are declared unconstitutional or inoperative.

SECTION 2. Said section fifty-two, as so appearing, is hereby further amended by striking out, in the fortieth line, the word "three" and inserting in place thereof the word: — five, — so that the fourth sentence will read as follows: — In such event, all laws applicable to foreign corporations, including foreign manufacturing corporations as so defined, which were repealed, or were made inoperative as to, or inapplicable to, such corporations or to the property thereof by said chapter three hundred and fifty-five shall thereupon be revived and become operative and applicable in respect to such corporations and the property thereof and shall be continued in full force and effect from the first day of January antedating by five years the first day of January of the calendar year in which such final judgment, order or decree is entered, to the same extent as if said chapter three hundred and fifty-five had not been enacted.

Approved May 31, 1946.

Chap. 395 AN ACT TO PROVIDE FOR PAYMENT TO THE COMMISSIONER OF CORPORATIONS AND TAXATION OF AMOUNTS IN LIEU OF INHERITANCE OR ESTATE TAXES WHEN PROPERTY IS TO BE DISTRIBUTED IN THE SETTLEMENT OF ESTATES OF ABSENTEES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 200, § 13, etc., amended.

Chapter two hundred of the General Laws is hereby amended by striking out section thirteen, as amended by section two of chapter three hundred and ninety-nine of the

acts of nineteen hundred and forty-one, and inserting in place thereof the following section: — *Section 13.* If upon the expiration of fourteen years after the date of the disappearance or absconding as found and recorded by the court or, in case such receiver is not appointed within thirteen years after said date, upon the expiration of one year after the date of the appointment of the receiver, the remainder of said property has not been accounted for, delivered or paid over to the absentee or his legal representative under section twelve, the court shall order the distribution thereof, subject to the deduction hereinafter provided, to the persons to whom, and in the shares and proportions in which, it would have been distributed if said absentee had died intestate within the commonwealth on the date of the expiration of said fourteen years or of said one year, as the case may be. Said remainder shall accordingly be so distributed unless, before such distribution is completed, the absentee or his legal representative referred to in section twelve appears and claims the same, in which case the court, upon the petition of the receiver or such absentee or legal representative, may make such further order relative to the distribution thereof as it deems just and equitable. Prior to making distribution as herein provided, said receiver shall deduct from the amount otherwise available for distribution, and shall pay over to the commissioner of corporations and taxation for the commonwealth, the equivalent of the tax which would have been imposed by chapter sixty-five or chapter sixty-five A if said absentee had died intestate within the commonwealth on said date and said property had passed to the distributees by inheritance.

Distribution
of property.

Approved May 31, 1946.

AN ACT AUTHORIZING THE USE FOR AIRPORT PURPOSES OF THE WHOLE OR PART OF THE NATIONAL GUARD ADMINISTRATION BUILDING, SO CALLED, LOCATED AT THE GENERAL EDWARD LAWRENCE LOGAN AIRPORT.

Chap. 396

Be it enacted, etc., as follows:

SECTION 1. The adjutant general is hereby authorized to permit the use for airport purposes of the whole or part of the National Guard Administration Building and Hangar, so called, at the General Edward Lawrence Logan Airport, in that part of Boston called East Boston, which was constructed under item one hundred and fifty-three b in section two of chapter two hundred and sixty-eight of the acts of nineteen hundred and thirty-one. Such use shall be subject to such terms and conditions as may be prescribed by the adjutant general with the approval of the governor.

SECTION 2. This act shall take effect upon its passage.

Approved June 3, 1946.

Chap.397 AN ACT AUTHORIZING CERTAIN SEMI-TRAILER UNITS AND MOTOR VEHICLES TO TRAVEL UPON PUBLIC WAYS WITHOUT CERTAIN PERMITS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90, new § 19A, added.

Certain motor vehicles exempt from permit to travel upon public ways.

SECTION 1. Chapter ninety of the General Laws is hereby amended by inserting after section nineteen the following section:— *Section 19A.* Any provision of section thirty of chapter eighty-five to the contrary notwithstanding, a motor vehicle having two axles, which vehicle with its load weighs not more than eighteen tons, and a semi-trailer unit or a motor vehicle having three axles, which unit or vehicle with its load weighs not more than twenty-five tons, may travel on a public way without a permit as required by said section thirty; provided, that no such motor vehicle or semi-trailer unit, the weight on any axle of which, measured at the ground, exceeds twenty-two thousand four hundred pounds, or, in case of axles spaced less than six feet apart, eighteen thousand pounds, shall so travel without such a permit.

G. L. (Ter. Ed.), 85, § 30, etc., amended.

Exceptions.

SECTION 2. Section thirty of chapter eighty-five of the General Laws, as most recently amended by section one of chapter one hundred and seventy-one of the acts of nineteen hundred and thirty-eight, is hereby further amended by striking out, in the first line, the word "No" and inserting in place thereof the words:— Except as provided in section nineteen A of chapter ninety, no, — so that the first sentence will read as follows:— Except as provided in section nineteen A of chapter ninety, no vehicle shall travel or object be moved, on any public way, which has any device attached to or made a part of its wheels or the rollers or other supports on which it rests, which will injure the surface of the way; nor shall any vehicle travel or object be moved, on any public way, which weighs more than fourteen tons, or, in the case of a vehicle equipped with pneumatic tires, more than fifteen tons, without a permit from the board or officer having charge of such way, or, in case of a state highway, or a way determined by the department of public works to be a through route, from the commissioner of public works; provided, that no such permit shall be required for the operation of a semi-trailer unit or a vehicle having three axles, whether or not so equipped, which does not weigh more than twenty tons.

Approved June 3, 1946.

Chap.398 AN ACT PROVIDING FOR THE ACQUIRING OF LAND AND CONSTRUCTING A FENCE ALONG A PORTION OF THE BANK OF THE NEPONSET RIVER IN THE HYDE PARK DISTRICT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of protecting lives of children in the area specified below and to prevent further loss of life by drowning, the metropolitan district commission

is hereby authorized and directed to acquire a plot of land in and along the Neponset river described as follows:— beginning at the point of intersection of the metropolitan district commission boundary along the thread of the Neponset river with the southerly boundary of Fairmount avenue easterly along that boundary for a distance of forty-five feet; from there, turning southerly along the easterly bank and roughly parallel to the shore line keeping inland approximately ten feet for a distance of about six hundred and fifty feet to the northerly boundary of the right of way, owned by the New York, New Haven and Hartford Railroad; from there, turning northerly and along said boundary approximately sixty feet; then turning easterly and along the metropolitan district commission boundary, a distance approximately five hundred and ninety feet to point of beginning, comprising an area, one acre more or less; also the metropolitan district commission is hereby authorized and directed to construct a suitable protective fence along the easterly bank of the Neponset river from Fairmount avenue to the railroad trestle.

SECTION 2. For said purposes the metropolitan district commission may expend such sums, not exceeding, in the aggregate, six thousand dollars, as may hereafter be appropriated therefor.

Approved June 3, 1946.

AN ACT AUTHORIZING THE MAKING OF HARBOR IMPROVEMENTS BY THE STATE DEPARTMENT OF PUBLIC WORKS IN THE TOWN OF PLYMOUTH. Chap. 399

Be it enacted, etc., as follows:

Chapter six hundred and eighty-six of the acts of nineteen hundred and forty-five is hereby amended by inserting after the word "Falmouth" in the eighteenth line the following:— ; and (9) Protection of shores in the town of Plymouth, — so as to read as follows:— The department of public works is hereby authorized to carry out, subject to appropriation and subject to the provisions of section eleven of chapter ninety-one of the General Laws, where applicable, the following projects for the improvement of harbors and waterways in the commonwealth:— (1) Protection of shores in the town of Duxbury; (2) Extension and repair of certain sea walls and other shore protection in the town of Scituate; (3) Extension of the breakwater in the town of Winthrop; (4) Construction of a sea wall and placing of riprap for the protection of the shore in the town of Yarmouth; (5) Construction of a sea wall in the rear of Neptune road and Bennington street in the East Boston district of the city of Boston; (6) Repair of flood and hurricane damage and construction of additional shore protection in the town of Barnstable; (7) Dredging of an anchorage basin in Lynn harbor; and (8) Repair of hurricane and flood damage and construction of additional shore protection in the town of Falmouth; and (9) Protection of

shores in the town of Plymouth. No project hereunder shall be begun unless and until the municipality or county, or both, in which the project lies shall have deposited with the state treasurer one half of the estimated cost of such project and such municipality shall have assumed liability, in the manner provided by section twenty-nine of said chapter ninety-one, for all damages that may be incurred under said project, and has given to said department of public works satisfactory assurances that conditions imposed upon such municipality with respect to such project will be met.

Approved June 3, 1946.

Chap.400 AN ACT PROVIDING FOR THE DREDGING BY THE DEPARTMENT OF PUBLIC WORKS OF AN ANCHORAGE BASIN IN LYNN HARBOR.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to dredge the Lynn yacht anchorage basin, so called, in Lynn harbor to a depth of not less than eight feet at mean low water. For said purpose, said department may expend such sums, not exceeding, in the aggregate, fourteen thousand dollars, as may be hereafter appropriated therefor.

Approved June 3, 1946.

Chap.401 AN ACT RELATIVE TO THE INSTALLATION OF A LIGHTING SYSTEM ON BELLEVUE HILL, WEST ROXBURY.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to install a lighting system along the pedestrian walk extending from a point south of the junction of Washington street and the West Roxbury parkway to Bellevue Hill road at Stratford street, West Roxbury.

The commission may expend from the appropriation for lighting under item 2931-03 of section two of chapter three hundred and nine of the acts of the current year a sum not exceeding one thousand dollars for the purposes of this act.

Approved June 3, 1946.

Chap.402 AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND FORTY-SIX, TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for meeting deficiencies in certain appropriations previously made, and for certain new activities and projects, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section, are hereby appropriated for the current fiscal year from the general fund or ordinary revenue of

the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, the sums so appropriated to be in addition to any amounts at present available for the purposes.

SECTION 2.

Service of the Legislative Department.

Item		
0101-10	For clerical and other assistance employed by the sergeant-at-arms, including not more than four permanent positions	\$308 33
0101-14	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than fifteen permanent positions	2,543 37
0102-01	For traveling and such other expenses of the committees of the present general court as may be authorized by order of either branch of the general court	3,000 00
0102-04	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than one permanent position	5,600 00
0102-09	For office and other expenses of the committee on rules on the part of the house	500 00
0102-10	For office expenses, including travel, of the counsel to the house of representatives	1,500 00
0254	For an investigation, as authorized by chapters sixteen and forty-four of the resolves of nineteen hundred and forty-five	2,000 00
0275	For an investigation, as authorized by chapter five of the resolves of nineteen hundred and forty-six	2,000 00

Service of the Judicial Department.

Superior Court, as follows:

0302-02	For traveling allowances and expenses	\$600 00
0302-21	This item omitted.	

Service of the Board of Bar Examiners.

0312-01	For personal services of the members of the board, including not more than five permanent positions	\$3,975 00
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Service of the Executive Department.

0401-22	For postage, printing, office and other contingent expenses, including travel, of the governor	\$3,000 00
0401-23	For postage, printing, stationery, traveling and contingent expenses of the governor and council	1,500 00
0401-24	For the cost of entertainment of distinguished visitors of the commonwealth and for the payment of other extraordinary expenses not otherwise provided for	8,500 00

Service of the Organized Militia.

0403-15	To cover certain small claims for damages to private property arising from military maneuvers	\$833 10
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Service of the Commission on Administration and Finance.

Telephone service:	
0415-10	For telephone service in the state house and expenses in connection therewith . . . \$2,300 00

Service of the Superintendent of Buildings.

Other annual expenses:	
0416-13	For services, supplies and equipment necessary to furnish heat, light and power . . . \$9,000 00
Special:	
0416-36	For certain exterior repairs to the Ford Building, so-called 45,000 00

Service of the Alcoholic Beverages Control Commission.

The following item shall be payable from fees collected under section twenty-seven of chapter one hundred and thirty-eight of the General Laws:	
0417-02	For services other than personal, including rent of offices, travel, and office and incidental expenses \$2,500 00

Service of the State Racing Commission.

The following item shall be payable from fees collected under chapter one hundred and twenty-eight A of the General Laws:	
0418-02	For other administrative expenses, including rent of offices, travel and office and incidental expenses \$3,500 00

Service of the State Planning Board.

0419-02	For services other than personal, including rent of offices, travel, and office supplies and equipment \$500 00
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Service of the Art Commission.

0424-01	For expenses of the commission \$80 00
0424-21	For certain expenses of the commission as authorized by chapter fifty-five of the resolves of nineteen hundred and forty-five the sum of five hundred dollars is hereby appropriated, to be in addition to the sum heretofore appropriated for this purpose; notwithstanding the limitation of expenditure prescribed by said resolve 500 00

Service of the Soldiers' Home in Massachusetts.

0430-00	For the maintenance of the Soldiers' Home in Massachusetts, with the approval of the trustees thereof, including not more than two hundred and seventeen permanent positions, to be in addition to certain receipts from the United States government . . . \$10,000 00
Item 0430-25 of section two of chapter seven hundred and thirty-two of the acts of nineteen hundred and forty-five is hereby amended by inserting after the word "equipment" in the twelfth line the words: — ; provided, that the sum of five hun-	

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dred dollars may be expended from the amount herein appropriated for the purchase of certain land which may be included as a part of the site of said hospital building.

For Expenses on Account of Wars.

0441-02 For certain care of veterans of the civil war, their wives and widows, as authorized by section twenty-five of chapter one hundred and fifteen of the General Laws . . . \$3,000 00

Service of the Secretary of the Commonwealth.

0501-02 For the salaries of officers and employees holding positions established by law, and other personal services, including not more than sixty-four permanent positions . . . \$1,200 00

Service of the Treasurer and Receiver-General.

0601-21 For personal services and other expenses of the treasurer and receiver-general in connection with the payment of the veterans' bonus, so-called . . . \$100,000 00

State Board of Retirement:

0604-03 For requirements of annuity funds and pensions for employees retired from the state service under authority of law, to be in addition to the amount appropriated in Item 2970-01 . . . 80,000 00

Service of the Department of Agriculture.

0901-03 (This item omitted.)

Division of Livestock Disease Control:

0907-05 For traveling expenses of veterinarians and agents . . . \$1,000 00

Service of the Department of Conservation.

Division of Marine Fisheries, Special:

1004-88 For the purchase of a boat . . . \$725 00

Service of the Department of Banking and Insurance.

Division of Banks:

1101-03 For services other than personal, printing the annual report, traveling expenses, office supplies and equipment . . . \$4,000 00

Service of the Department of Corporations and Taxation.

Corporations and Tax Divisions:

1201-02 For the salaries of certain positions filled by the commissioner, with the approval of the governor and council, and for additional clerical and other assistance, including not more than one hundred and twenty-nine permanent positions . . . \$4,000 00

1201-03 For other services, necessary office supplies and equipment, travel, and for printing the annual report, other publications and valuation books . . . 10,000 00

Item		
	Reimbursement for loss of taxes:	
1201-05	For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the calendar year nineteen hundred and forty-five	\$1,085 45
	Division of field investigation and temporary taxes:	
1201-12	For expenses other than personal services	500 00
	Excise upon charges for meals (the following two items shall be payable from amounts collected under chapter sixty-four B of the General Laws):	
1201-21	For personal services of the director, assistant director, and other necessary employees for the administration of an excise on meals, including not more than thirty-two permanent positions	6,500 00
1201-22	For expenses other than personal services for the administration of an excise on meals, as provided by chapter sixty-four B of the General Laws	500 00
	Income Tax Division (the following appropriation is to be made from the receipts from the income tax):	
1202-01	For personal services of the director, assistant director, assessors, deputy assessors, clerks, stenographers and other necessary assistants, including not more than two hundred and eighty-seven permanent positions	32,000 00

Service of the Department of Education.

	Special:	
1301-22	For personal services and other expenses required in connection with furnishing certain educational services to certain war veterans, including the establishment and operation of regional education centers in the commonwealth	\$34,000 00
	Division of the Blind:	
1304-13	For personal services and other expenses in connection with the operation of the Woolson House industries, including not more than two permanent positions, but excluding the purchase of merchandise and payments to blind persons	800 00
	For the maintenance of and for certain improvements at the following state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education:	
1307-21	State teachers' college at Bridgewater, boarding hall, including not more than twenty-nine permanent positions	2,000 00
1308-38	For providing such water, sewerage, electrical and other facilities as may be necessary for the proper maintenance at the state teachers' college at Fitchburg of housing units transferred thereto by the Federal Housing Administration for the housing of war veterans at said college	2,500 00

Item		
1309-21	State teachers' college at Framingham, boarding hall, including not more than twenty-five permanent positions . . .	\$4,500 00
1314-21	State teachers' college at Westfield, boarding hall, including not more than one permanent position . . .	700 00
Textile School:		
1332-00	For the maintenance of the Lowell textile institute, with the approval of the commissioner of education and the trustees, including not more than sixty-one permanent positions . . .	5,300 00
Massachusetts State College:		
1341-00	For maintenance and current expenses of the Massachusetts state college, with the approval of the trustees, including not more than four hundred and ninety-seven permanent positions . . .	16,375 00
1341-94	For certain extensions and improvements to the steam lines . . .	45,000 00

Service of the Department of Industrial Accidents.

1501-04	For other services, printing the annual report, necessary office supplies and equipment, and rent . . .	\$642 10
1501-05	For expenses of impartial examinations, and for expenses of industrial disease referees, as authorized by section nine B of chapter one hundred and fifty-two of the General Laws, for the year nineteen hundred and forty-six and the previous year . . .	6,000 00
Massachusetts Development and Industrial Commission:		
1603-01	For personal services of employees, including not more than five permanent positions . . .	700 00
1603-02	For administrative expenses, including office rent and other incidental expenses, and for the promotion and development of the industrial, agricultural and recreational resources of the commonwealth . . .	10,300 00
Labor Relations Commission:		
1604-02	For administrative expenses, including office rent . . .	1,200 00

Service of the Department of Mental Health.

For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Health:		
1711-00	Boston state hospital, including not more than six hundred and seventy-nine permanent positions . . .	\$20,000 00
1713-27	To provide eighty-four additional beds at the Foxborough state hospital by certain additions and alterations to the "C" building, so-called, including the cost of furnishings and equipment . . .	16,000 00
1718-00	Northampton state hospital, including not more than four hundred and forty-nine permanent positions . . .	9,800 00

Item		
1723-00	Belchertown state school, including not more than three hundred and two permanent positions	\$8,000 00
<i>Service of the Department of Correction.</i>		
1801-04	For traveling expenses of officers and employees of the department, when required to travel in the discharge of their duties .	\$300 00
Parole Board:		
1801-23	For traveling expenses of officers and employees of the parole board when required to travel in the discharge of their duties .	3,000 00
<i>Service of the Department of Public Welfare.</i>		
Tuition of children:		
1907-01	For tuition in the public schools, including transportation to and from school, of children boarded by the department, for the twelve months ending June thirtieth, nineteen hundred and forty-five	\$8,733 70
Boys' Parole:		
1908-13	For board, clothing, medical and other expenses incidental to the care of boys .	3,000 00
For the maintenance of and for certain improvements at the institutions under the control of the trustees of the Massachusetts training schools, with the approval of said trustees, as follows:		
1916-00	Industrial school for girls, including not more than ninety-one permanent positions .	13,500 00
1917-00	Lyman school for boys, including not more than one hundred and thirty-eight permanent positions	2,500 00
<i>Service of the Department of Public Health.</i>		
Division of Cancer and Other Chronic Diseases:		
2003-02	For other expenses of the division, including cancer clinics	\$6,000 00
Venereal Diseases:		
2006-02	For services other than personal, traveling expenses, office supplies and equipment, including the cost of medicines, hospitalization, and clinics, to be in addition to any amount heretofore appropriated for the purpose	15,000 00
<i>Service of the Department of Public Safety.</i>		
Division of State Police:		
2102-01	For the salaries of officers and detectives, including not more than two hundred and ninety-six permanent positions partly chargeable to item 2970-04	\$30,000 00
2102-04	For expert assistance to the commissioner and for maintenance of laboratories, including not more than five permanent positions	2,360 00

Item		
Fire Prevention Service:		
2103-04	For traveling expenses of fire and other inspectors	\$2,400 00
Division of Inspection:		
2104-12	For traveling expenses of officers for the building inspection service	700 00
2104-22	For traveling expenses of officers for the boiler inspection service	500 00
State Boxing Commission:		
2105-02	For other expenses of the commission	4,000 00

Service of the Department of Public Works.

Functions of the department relating to airports:		
2230-01	For personal services and other expenses of operating the Logan airport	\$41,000 00

Service of the Department of Public Utilities.

Commercial Motor Vehicle Division:		
2304-02	For other services, necessary office supplies and equipment, and for rent	\$3,800 00

Unclassified Accounts and Claims.

2811-02	For the compensation of veterans who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws	\$10,000 00
2811-06	For the compensation and expenses of medical examinations, as authorized by chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five	300 00

Miscellaneous.

Item 1906-21 of section two of chapter seven hundred and thirty-six of the acts of nineteen hundred and forty-five is hereby amended by inserting after the word "year" in the fifth line the words: —; provided, that the amount herein appropriated shall not be available for expenditure after June thirtieth, nineteen hundred and forty-six.

The comptroller is hereby directed to transfer to the general fund from revenues received under chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five the sum of three hundred and forty-four thousand dollars, representing the total of amounts made available in the current fiscal year from the general fund for administration expenses of the veterans' bonus, so-called.

Item 2420-00 of section two of chapter seven hundred and thirty-six of the acts of nineteen hundred and forty-five is hereby amended by inserting after the word "purpose" in the fifth line the words: —; pro-

Item

vided, that of the amount herein appropriated the sum of seven hundred thousand dollars shall be applied against the cost of work authorized by chapter five hundred and twenty-eight of the acts of nineteen hundred and forty-three, and the amount that may be borrowed under section four of said chapter is hereby reduced by seven hundred thousand dollars.

Item 1309-00 of section two of chapter seven hundred and thirty-six of the acts of nineteen hundred and forty-five is hereby amended by inserting after the word "positions" in the third line the words: — including certain payments to substitute teachers for previous years.

THE FOLLOWING APPROPRIATIONS ARE MADE FROM THE HIGHWAY FUND:

	Functions of the department relating to highways:	
2900-04	For the maintenance and repair of state highways and bridges, including control of snow and ice on state highways and town roads, and for the maintenance of traffic signs and signals; for personal services and expenses of work for which the highway fund is reimbursed other than work in connection with projects included in federal aid programs; for the cost, not exceeding fifty thousand dollars, of increasing the inventory held in store-rooms of the department; and for the payment of personal services and expenses in connection with the purchase, construction and repair of shelters for departmental equipment and material, the cost of which is less than five thousand dollars for each project	\$315,000 00
	Registration of Motor Vehicles:	
2924-01	For personal services, including not more than six hundred and seven permanent positions	18,500 00
	Division of State Police:	
2970-04	For the salaries of officers and detectives, to be in addition to the amount appropriated in Item 2102-01	45,000 00

PORT OF BOSTON FUND:

3125	(This item included in section three of this act.)	
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THE FOLLOWING APPROPRIATION IS MADE FROM THE INLAND FISHERIES AND GAME FUND:

3304-35	For the payment of damages caused by wild deer and wild moose, for the year nineteen hundred and forty-six, and for previous years, as provided by law	\$5,000 00
3345	(This item included in section three of this act.)	

Item

THE FOLLOWING APPROPRIATION IS PAYABLE FROM REVENUES
CREDITED TO THE OLD AGE ASSISTANCE FUND:

3621	(This item included in section three of this act.)	
	Reimbursement:	
3625	For reimbursement to cities and towns for old age assistance for the year nineteen hundred and forty-six and for previous years	\$1,540,000 00

PARKS AND SALISBURY BEACH RESERVATION FUND:

4045	(This item included in section three of this act.)	
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SMOKE INSPECTION FUND:

4311	(This item included in section three of this act.)	
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PRISON INDUSTRIES FUND:

4401-45	(This item included in section three of this act.)	
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Metropolitan District Commission Funds.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction and with the approval of the metropolitan district commission:

8602-00	For maintenance of parks reservations, including the retirement of veterans under the provisions of the General Laws	\$3,500 00
8602-40	For the erection of a shelter in the town of Arlington, as authorized by chapter six hundred and sixty-two of the acts of nineteen hundred and forty-five, to be assessed as part of the cost of maintenance of parks reservations	1,050 00
8902-35	For maintenance expenses, including personal services, of property held and operated by the metropolitan water supply commission, to be included as a part of the cost of maintenance of the metropolitan water system	17,000 00

TOTAL FUNDS:

General Fund	\$684,661 05
Highway Fund	458,500 00
Port of Boston Fund	14,500 00
Inland Fisheries and Game Fund	28,000 00
Old Age Assistance Fund	1,554,000 00
Special Assessment Funds	17,500 00
Prison Industries Fund	35,000 00
Metropolitan District Commission Funds	21,550 00

(The above totals include amounts appropriated in section three.)

SECTION 3. To provide for meeting the cost of increasing salaries of employees in the service of the commonwealth during the fiscal year nineteen hundred and forty-six as

authorized by chapter four hundred and sixteen of the acts of nineteen hundred and forty-five the sum of one hundred and eighty-four thousand dollars is hereby appropriated, to be in addition to sums appropriated for this purpose in section six of chapter seven hundred and thirty-six of the acts of nineteen hundred and forty-five, and to be paid in the following amounts from the following funds:

Highway Fund	\$80,000 00
Port of Boston Fund	14,500 00
Inland Fisheries and Game Fund	23,000 00
Old Age Assistance Fund	14,000 00
Parks and Salisbury Beach Reservation Fund	13,500 00
Smoke Inspection Fund	4,000 00
Prison Industries Fund	35,000 00
	<hr/>
	\$184,000 00

The governor, with the approval of the council, and upon recommendation of the commission on administration and finance is hereby authorized to transfer from the said amounts to items of appropriation for the fiscal year nineteen hundred and forty-six which are available in whole or in part for personal services.

SECTION 4. No payment shall be made or obligation incurred under authority of any special appropriation made by this act for construction of public buildings or other improvements at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

SECTION 5. This act shall take effect upon its passage.
Approved June 3, 1946.

Chap.403 AN ACT TO AMEND AND CORRECT THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32, § 3,
etc., amended.

Group B.

SECTION 1. Group B of paragraph (g) of subdivision (2) of section three of chapter thirty-two of the General Laws, as appearing in section one of chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five, is hereby amended by striking out, in the ninth line, the words "at the state farm", — so as to read as follows: — *Group B.* — Members of police and fire departments not classified in Group A, members of the police force of the metropolitan district commission, capitol police, conservation officers paid as such, district fire wardens, coastal wardens in the department of conservation, and employees of the commonwealth and of any county, regardless of any official classification, whose regular and major duties require them to have the care and custody of prisoners or insane persons or of defective delinquents.

SECTION 2. Said section three of said chapter thirty-two, as so appearing, is hereby further amended by striking out subdivision (4) and inserting in place thereof the following subdivision:—

(4) Any member of the teachers' retirement system who had rendered service as a teacher in the public day schools of any other state for any previous period, may, either before January first, nineteen hundred and fifty-one, or within five years after becoming a member or being reinstated as such, and before the date any retirement allowance becomes effective for him, pay into the annuity savings fund of the system in one sum, or in instalments, upon such terms and conditions as the board may prescribe, an amount equal to that which would have been withheld as regular deductions from his regular compensation for such previous period or most recent portion thereof as he may elect, in no event aggregating more than ten years, had such service been rendered in a public school of the commonwealth; provided, that for such service which was rendered prior to July first, nineteen hundred and fourteen, payment shall be made equal to the regular deductions which would have been withheld from his regular compensation had the teachers' retirement system, as established by chapter eight hundred and thirty-two of the acts of nineteen hundred and thirteen, been in effect during the period the service had been rendered, and interest on said payment shall be computed at the rate of three per cent per annum to July first, nineteen hundred and fourteen and thereafter regular interest shall be charged. In addition to the payment of such sum or instalments thereof, such member shall also pay into the annuity savings fund an amount of interest such that at the completion of such payments the value of his accumulated payments, together with regular interest thereon, actually made on account of such previous out-of-state service shall equal the value of his accumulated regular deductions which would have resulted if regular deductions had been made when regular compensation for such service was actually received. Upon the completion of such payments such member shall receive the same credit for such period of his previous out-of-state service or portion thereof elected as would have been allowed if such service had been rendered by him in a public school of the commonwealth. Such member shall furnish the board with such information as it shall require to determine the amount to be paid and the credit to be allowed under this subdivision.

G. L. (Ter. Ed.), 32, § 3, etc., further amended.

Teachers' credit for out-of-state service.

Payments into fund.

SECTION 3. Subdivision (6) of said section three of said chapter thirty-two, as so appearing, is hereby amended by striking out paragraph (d) and inserting in place thereof the following paragraph:—

G. L. (Ter. Ed.), 32, § etc., further amended.

(d) Any former member who is reinstated to or who re-enters the active service of the governmental unit in which he was formerly employed to serve in a position which is subject to the provisions of sections one to twenty-eight inclusive, more than two years after the date of his last

Reinstatement in service.

separation therefrom or less than two years if re-employment occurred prior to January first, nineteen hundred and forty-six, but not less than two years prior to the date he will attain the maximum age for his group, may, either before January first, nineteen hundred and fifty-one, or within five years after the date of commencement of his new employment, and before the date any retirement allowance becomes effective for him, pay into the annuity savings fund of the system in one sum, or in instalments, upon such terms and conditions as the board may prescribe, make-up payments of an amount equal to the accumulated regular deductions withdrawn by him, together with regular interest. Upon such re-employment and upon making such payment in one sum or upon making provision for payment thereof in instalments, as the case may be, such former member shall again become a member. Upon the completion of such make-up payments such member shall be entitled to all creditable service resulting from his previous employment. In the event any retirement allowance becomes effective for him before the completion of such make-up payments, such member shall, in addition to credit for his actual membership service rendered since the date of his last becoming a member, be entitled to credit for that proportion of his previous creditable service rendered prior to such date which the total amount of his make-up payments actually made, together with regular interest thereon to the date his retirement allowance becomes effective, bears to the total amount of what his make-up payments, together with regular interest thereon to such latter date, would have been had he made payment thereof in one sum on such latter date.

G. L. (Ter. Ed.), 32, § 4, etc., amended.

Board to determine creditable service.

SECTION 4. Subdivision (2) of section four of said chapter thirty-two, as so appearing, is hereby amended by striking out paragraph (b) and inserting in place thereof the following paragraph: —

(b) The board shall fix and determine how much service in any calendar year is equivalent to a year of service. In all cases involving part-time, provisional, temporary, temporary provisional, seasonal or intermittent employment or service of any employee in any governmental unit, including such employment or service of any state official or of any person elected by popular vote to a county or municipal office or position, the board, under appropriate rules and regulations which shall be subject to the approval of the actuary, shall fix and determine the amount of creditable prior service, if any, and the amount of credit for membership service of any such employee who becomes a member, including any prescribed waiting period before eligibility for membership, established either by law or board ruling, prior to January first, nineteen hundred and forty-six, for which such service credit was given upon attaining membership; provided, that in the case of any such employee whose work is found by the board to be seasonal in its nature, the board shall credit as the equivalent of one year of service, actual full-time service

of not less than seven months during any one calendar year.

SECTION 5. Said subdivision (2) of said section four of said chapter thirty-two, as so appearing, is hereby further amended by striking out paragraph (c) and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 32, § 4, etc., further amended.

(c) In the case of any employee of any governmental unit who is a member of the system pertaining thereto or who becomes a member before January first, nineteen hundred and fifty-one, the board may allow credit, upon whatever proportionate basis it shall determine under appropriate rules and regulations which shall be subject to the approval of the actuary, for any previous period of part-time, provisional, temporary, temporary provisional, seasonal or intermittent employment or service rendered by him before January first, nineteen hundred and forty-six, and after such system became operative and while he was not eligible for membership excluding any prescribed waiting period under the provisions of the law or under the board's rules and regulations in effect during such previous period before eligibility for membership, established either by law or board ruling, prior to January first, nineteen hundred and forty-six, for which such service credit was given upon attaining membership; provided, that either before January first, nineteen hundred and fifty-one, or within five years after becoming a member or being reinstated as such, and before the date any retirement allowance becomes effective for him, he pays into the annuity savings fund of the system in one sum, or in instalments, upon such terms and conditions as the board may prescribe, make-up payments of an amount equal to that which would have been withheld as regular deductions from his regular compensation had he been eligible for membership and been a member of such system during such previous period, together with regular interest. In the event any retirement allowance becomes effective for him before the completion of such make-up payments, such member shall, in addition to credit for his actual membership service, be entitled to credit for that proportion of his service rendered prior to the date of his becoming a member which the total amount of his make-up payments actually made, together with regular interest thereon to the date his retirement allowance becomes effective, bears to the total amount of what his make-up payments, together with regular interest thereon to such latter date, would have been had he made payment thereof in one sum on such latter date.

Board to establish amount to be paid fund in certain cases.

SECTION 6. Paragraph (a) of subdivision (2) of section five of said chapter thirty-two, as so appearing, is hereby amended by striking out clause (ii) and inserting in place thereof the following clause: —

G. L. (Ter. Ed.), 32, § 5, etc., amended.

(ii) An additional amount, if he has creditable service for a period before July first, nineteen hundred and thirty-seven, equal to two per cent of the average rate of his regular compensation, not exceeding twenty-six hundred dollars in any

Payments of superannuation retirement allowance in certain cases.

year, during the five-year period of his creditable service last preceding July first, nineteen hundred and thirty-seven, multiplied by the number of years of such creditable service after taking any creditable service for a fractional part of a year to the nearest whole number of twelfths of a year; provided, that if during all or part of said five-year period of creditable service there was a decrease in the base rate of his regular compensation as a general adjustment due to economic conditions, such additional amount may, at the option of the board, be computed on any period of five consecutive years during the ten years immediately preceding said date for which his average annual rate of regular compensation was the highest; and provided, further, that in determining such additional amount the portion of the allowance included therein on account of any such creditable service due to prior service shall not exceed one half of the average annual rate of his regular compensation during such five-year period without the limitation of twenty-six hundred dollars; and provided, further, that any such additional amount shall in no event be less than two fifths of the regular deductions, if any, of such member made on account of regular compensation received prior to July first, nineteen hundred and thirty-seven; and

G. L. (Ter. Ed.), 32, § 12, etc., amended.

Election of option.

SECTION 7. Option (c) of subdivision (2) of section twelve of said chapter thirty-two, as so appearing, is hereby amended by inserting after the first sentence the following two sentences: — No person shall be eligible for nomination as beneficiary under this option unless such person is the spouse, child, father, mother or unmarried or widowed sister of such member. If such beneficiary dies before the date such retirement allowance becomes effective, this option shall not take effect, and in such case such member, upon his written request on a prescribed form filed with the board prior to such effective date, may make a new election of any one of the three options specified in this subdivision.

G. L. (Ter. Ed.), 32, § 28, etc., amended.

SECTION 8. Section twenty-eight of said chapter thirty-two, as most recently amended by section one of chapter one hundred and sixty-six of the acts of the current year, is hereby further amended by adding at the end of subdivision (2) the following paragraph: —

"Employee" and "employees" defined.

(g) The words "employee" and "employees", as appearing in sections one to twenty-eight, inclusive, so far as said words apply expressly or by implication to employees of the city of Boston, shall include teachers and the employees of the county of Suffolk.

G. L. (Ter. Ed.), 32, § 28, etc., further amended.

Certificate.

SECTION 9. Paragraph (a) of subdivision (3) of said section twenty-eight of said chapter thirty-two, as amended by section three of said chapter one hundred and sixty-six, is hereby further amended in the last sentence by inserting after the word "July" the words: — or of October, — so as to read as follows: — Said commissioner shall, within fifteen days after such filing, issue to the mayor or selectmen a certificate to the effect that the retirement system established

by said sections shall become operative in such city or town on the first day of January or of July or of October, whichever occurs first, following the expiration of three months after the date of such certificate. *Approved June 3, 1946.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 19, 1946.

Honorable FREDERIC W. COOK, *Secretary of the Commonwealth,
State House, Boston, Massachusetts.*

SIR:— I, Maurice J. Tobin, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the 3rd day of June, entitled, "An Act to Amend and Correct the Contributory Retirement Law," should take effect forthwith and that it is an emergency law and that the facts constituting the emergency are as follows:

It is intended that the plan contemplated by this legislation be in effect on January 1, 1947. Under the terms of the act, employees have a period of ninety days in which to determine a choice of rights. It is necessary that city and town authorities begin immediately to put this plan into effect. They must commence immediately after the plan is to be effected on the first of next year.

Very truly yours,

MAURICE J. TOBIN,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 20, 1946.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at nine o'clock and thirty minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred and three of the acts of nineteen hundred and forty-six.

PAUL D. HOWARD,
Deputy Secretary of the Commonwealth.

AN ACT AUTHORIZING THE BAY STATE SAVINGS BANK TO
MAKE AN INVESTMENT IN LAND AND BUILDINGS FOR THE
CONVENIENT TRANSACTION OF ITS BUSINESS. Chap. 404

Be it enacted, etc., as follows:

SECTION 1. Bay State Savings Bank, incorporated by chapter one hundred and seven of the acts of eighteen hundred and ninety-five, may, subject to the approval of the commissioner of banks, invest in the alteration, renovation or reconstruction of any building now owned or hereafter acquired by it, including the cost of such acquisition, to be

used in whole or in part for the convenient transaction of its business in the city of Worcester, a sum not exceeding three hundred thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1946.

Chap. 405 AN ACT FURTHER REGULATING THE TAKING OF CLAMS FOR FAMILY USE OR FOR BAIT WITHOUT A PERMIT IN CERTAIN CITIES AND TOWNS IN THE COUNTY OF ESSEX.

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter seven hundred and ten of the acts of nineteen hundred and twelve, as amended by section one of chapter three hundred and seven of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the third line, the word "bushel" and inserting in place thereof the word: — peck, — and by striking out, in the seventh line, the words "three bushels" and inserting in place thereof the words: — one peck, — so as to read as follows: — *Section 6.* Any inhabitant of the commonwealth may, without a permit, take clams, not exceeding one peck, including shells, in any one day, for the use of his own family from the waters of his own or any other city or town in the county of Essex, and may so take from the waters of his own city or town clams for bait, not exceeding one peck, including shells, in any one day, subject to the general rules and regulations adopted by cities and towns, respectively, in the manner specified in the preceding section as to the time, place and methods of taking clams. Whoever, without a permit, takes any clams from the flats within the borders of any city or town holding a lease from the commonwealth under section two, except as permitted by this section, shall forfeit not less than five nor more than fifty dollars for each offence.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1946.

Chap. 406 AN ACT AUTHORIZING DUKES COUNTY TO BORROW MONEY FOR THE IMPROVEMENT OF THE INDIAN BURIAL GROUND, SO CALLED, IN THE TOWN OF WEST TISBURY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Dukes county may improve the Indian Burial Ground, so called, in the Christiantown section of the town of West Tisbury, by the removal of debris therefrom, the repairing or reconstruction of the ways and paths therein and otherwise embellishing said burial ground.

For the purposes aforesaid, the county treasurer of said county may, with the approval of the county commissioners, issue notes of the county, in a total amount not to exceed two thousand dollars, which shall bear on their face the words, Dukes County Indian Burial Ground Improvement

Loan, Act of 1946, and shall be payable in not more than eighteen months from their dates. Such notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1946.

AN ACT AUTHORIZING THE CITY OF WORCESTER TO BORROW MONEY FOR IMPROVING, REBUILDING, REPAIRING AND PROVIDING NECESSARY EQUIPMENT FOR ITS SEWAGE DISPOSAL PLANT AND FOR ITS SEWERAGE SYSTEM. Chap.407

Be it enacted, etc., as follows:

SECTION 1. For the purpose of improving, rebuilding, repairing and providing necessary equipment for its sewage disposal plant, and for its sewerage system, other than the construction of trunk sewers, the city of Worcester may, from time to time within five years from the date of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, two million dollars, and may issue bonds or notes therefor which shall bear on their face the words, Worcester Sewerage Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than fifteen years from their dates, but no loan shall be authorized under this act unless a sum equal to an amount of not less than ten per cent of the loan so authorized is voted for the same purpose from taxes or available revenue funds in the year when authorized. Indebtedness incurred under this act shall be in excess of the amount authorized by chapter two hundred and eleven of the Special Acts of nineteen hundred and sixteen, as amended by chapter one hundred and thirty-eight of the acts of nineteen hundred and twenty, and in excess of the statutory limit imposed by chapter forty-four of the General Laws, but, except as provided herein, shall be subject to the applicable provisions of said chapter forty-four exclusive of the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1946.

AN ACT RELATIVE TO THE CLOSING OF OFFICES OF STATE DEPARTMENTS ON SATURDAYS. Chap.408

Be it enacted, etc., as follows:

Chapter thirty of the General Laws is hereby amended by striking out section twenty-four, as most recently amended by chapter five hundred and eight of the acts of nineteen hundred and forty-five, and inserting in place thereof the

G. L. (Ter. Ed.), 30, § 24, etc., amended.

Closing of
offices of state
departments.

following section:— *Section 24.* All offices under the jurisdiction of any department of the state government shall be open to the public for the transaction of business daily on days other than Saturdays, Sundays and legal holidays for such hours, beginning not later than nine o'clock in the forenoon and ending not earlier than five o'clock in the afternoon, as may be set by the department head subject to the approval of the commission on administration and finance, except that, if the convenience of the public so requires, any department head, subject to like approval, may keep any office under his jurisdiction open on any Saturday, not a legal holiday, from nine o'clock in the forenoon to twelve o'clock noon, and give any employee required to work on Saturday equivalent time off without loss of compensation. When the day or the last day for the performance of any act, including the making of any payment or tender of payment, authorized or required to be performed at such an office falls on a Saturday, Sunday or legal holiday, the act may be performed on the next succeeding business day.

Approved June 4, 1946.

Chap. 409 AN ACT PROVIDING FOR THE APPLICATION OF CERTAIN LAWS AFFECTING VETERANS AND THEIR ORGANIZATIONS TO THE AMERICAN VETERANS OF WORLD WAR II, AMVETS, THE MILITARY ORDER OF THE PURPLE HEART AND THE MARINE CORPS LEAGUE.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 33, § 49,
etc., amended.

SECTION 1. Section forty-nine of chapter thirty-three of the General Laws, as most recently amended by section one of chapter two hundred and seventeen of the acts of nineteen hundred and forty-one, is hereby further amended by inserting after the word "States" in the thirty-third line the words: —, and of the American Veterans of World War II, AMVETS — Department of Massachusetts, — so as to read as follows:— *Section 49.* Except as provided in section fifty, no body of men, except the organized militia, the troops of the United States, and the Ancient and Honorable Artillery Company of Massachusetts, shall maintain an armory, or associate together at any time as a company or organization, for drill or parade with firearms, or so drill or parade; nor shall any city or town raise or appropriate money toward arming, equipping, uniforming, supporting or providing drill rooms or armories for any such body of men; provided, that associations wholly composed of soldiers honorably discharged from the military service of the United States may parade in public with arms, upon the reception of any regiment or company of soldiers returning from said service, and for escort duty at the burial of deceased soldiers, with the written permission of the mayor of the city or selectmen of the city or town where they desire to parade; that students

Unauthorized
drilling.

in educational institutions where military science is a prescribed part of the course of instruction or members of schools for military instruction conducted with the approval of the commander-in-chief may, with the consent of the commander-in-chief, drill and parade with firearms in public, under the superintendence of their instructors or teachers; that foreign troops whose admission to the United States has been consented to by the United States government may, with the consent of the commander-in-chief, drill and parade with firearms in public; that any body of men may, with the consent of the commander-in-chief, drill and parade in public with any harmless imitation of firearms approved by the adjutant general; that regularly organized posts of the Grand Army of the Republic, The American Legion, Veterans of Foreign Wars of the United States and Jewish War Veterans of the United States, and of the American Veterans of World War II, AMVETS — Department of Massachusetts, regularly organized camps of the United Spanish War Veterans, regularly organized detachments of the Marine Corps League, and regularly organized chapters of the Yankee Division Veterans Association and the Massachusetts State Guard Veterans and regularly organized units thereof may drill and parade with firearms in public, under the supervision of their duly authorized officers; that the Kearsarge Association of Naval Veterans, Inc., may at any time parade in public their color guards of not more than twelve men armed with firearms; that the Society of Colonial Wars in the Commonwealth of Massachusetts, the Order of the Founders and Patriots of America, the Massachusetts Society of the Sons of the American Revolution, the Society of the Sons of the Revolution in the Commonwealth of Massachusetts, The Society of the War of 1812 in the Commonwealth of Massachusetts (Incorporated), and regularly organized branches of any of said societies, may at any time parade in public their uniformed color guards of ten men with firearms; that regularly organized camps or other duly organized units of the Sons of Union Veterans of the Civil War may at any time parade in public their color guards, escorts, and firing parties with firearms, but no such camp or other organized unit shall at any time so parade more than sixteen men; that any organization heretofore authorized by law may parade with side-arms; and that any veteran association composed wholly of past members of the militia of the commonwealth may maintain an armory for the use of the organizations of the militia to which its members belonged; provided, that such drill or parade is not in contravention of the laws of the United States.

SECTION 2. Clause (12) of section five of chapter forty of the General Laws, as most recently amended by chapter ninety-nine of the acts of nineteen hundred and forty-three, is hereby further amended by inserting after the word "States" in the twenty-second line the words: — , and of

G. L. (Ter. Ed.), 40, § 5, etc., amended.

Appropriations
for care of
certain graves.

the American Veterans of World War II, AMVETS — Department of Massachusetts, — so as to read as follows: —

(12) For erecting headstones or other monuments at the graves of persons who served in the war of the revolution, the war of eighteen hundred and twelve, the Seminole war, the Mexican war, the war of the rebellion or the Indian wars or who served in the military or naval service of the United States in the Spanish American war or in World war I or in World war II, or who served in the military service of the commonwealth in time of war; for acquiring land by purchase or by eminent domain under chapter seventy-nine, purchasing, erecting, equipping or dedicating buildings, or constructing or dedicating other suitable memorials, for the purpose of properly commemorating the services and sacrifices of persons who served as aforesaid; for the decoration of the graves, monuments or other memorials of soldiers, sailors and marines who served in the army, navy or marine corps of the United States in time of war or insurrection and the proper observance of Memorial Day and other patriotic holidays under the auspices of the following: — local posts of the Grand Army of the Republic, United Spanish War Veterans, The American Legion, Veterans of Foreign Wars of the United States and Jewish War Veterans of the United States, and of the American Veterans of World War II, AMVETS — Department of Massachusetts, local chapters of the Disabled American Veterans of the World War, local units of the Massachusetts State Guard Veterans, Kearsarge Association of Naval Veterans, Inc., local garri- sons of the Army and Navy Union of the United States of America, local chapters of the Massachusetts Society of the Sons of the American Revolution, local detachments of the Marine Corps League, local clubs of the Yankee Division Veterans Association, local camps or other duly organized units of the Sons of Union Veterans of the Civil War or local tents of The Daughters of Union Veterans of the Civil War, and The Society of the War of 1812 in the Commonwealth of Massachusetts (Incorporated); or for keeping in repair graves, monuments or other memorials erected to the mem- ory of such persons or of the firemen and policemen of the town who died from injuries received in the performance of their duties in the fire or police service or for decorating the graves of such firemen and policemen or for other mem- orial observances in their honor. Money appropriated in honor of such firemen may be paid over to, and expended for such purposes by, any veteran firemen's association or similar organization.

G. L. (Ter.
Ed.), 40, § 9,
etc., amended.

SECTION 3. Section nine of said chapter forty is hereby amended by striking out the first paragraph, as most recently amended by section two of chapter two hundred and nine of the acts of the current year, and inserting in place thereof the following paragraph: —

Headquarters
for certain
veteran organ-
izations.

A city or town may for the purpose of providing suitable headquarters for a post or posts of The American Legion

and of the Veterans of Foreign Wars of the United States and for a chapter or chapters of the Disabled American Veterans of the World War and for a post or posts of the Jewish War Veterans of the United States and for a post or posts of La Legion Franco-Americaine des Etats-Unis d'Amerique, and for a chapter or chapters of the Military Order of the Purple Heart and for a detachment or detachments of the Marine Corps League and for a post or posts of the American Veterans of World War II, AMVETS—Department of Massachusetts, lease for a period not exceeding five years buildings or parts of buildings which shall be under the direction and control of such post or posts, or chapter or chapters, or detachment or detachments subject to regulations made in cities by the mayor with the approval of the council and in towns by vote of the town, and for said purposes a town with a valuation of less than five million dollars may annually appropriate not more than two thousand dollars; a town with a valuation of five million dollars but not more than twenty million dollars may annually appropriate not more than three thousand dollars; a town with a valuation of more than twenty million dollars but not more than seventy-five million dollars may annually appropriate not more than four thousand dollars; a town with a valuation of more than seventy-five million dollars but not more than one hundred and fifty million dollars may annually appropriate not more than five thousand dollars; and a town with a valuation of more than one hundred and fifty million dollars may annually appropriate five thousand dollars for each one hundred and fifty million dollars of valuation, or fraction thereof. The city council of a city may, by a two thirds vote, appropriate money for armories for the use of the state militia, for the celebration of holidays, for the purpose of providing or defraying the expenses of suitable quarters for posts of the Grand Army of the Republic, including the heating and lighting of such quarters, and for other like public purposes to an amount not exceeding in any one year one fiftieth of one per cent of its valuation for such year.

SECTION 4. Section seventy of chapter two hundred and sixty-six of the General Laws, as most recently amended by section three of said chapter two hundred and nine, is hereby further amended by inserting after the word "Legion" in the twelfth line the words: — , the American Veterans of World War II, AMVETS, — so as to read as follows: — *Section 70.* Whoever, not being a member of the Military Order of the Loyal Legion of the United States, the Grand Army of the Republic, the Sons of Union Veterans of the Civil War, the Woman's Relief Corps, the Union Veterans' Union, the Union Veteran Legion, the Military and Naval Order of the Spanish-American War, the United Spanish War Veterans, the American Officers of the Great War, the Veterans of Foreign Wars of the United States, the Military Order of Foreign Wars of the United States, the Disabled American Veterans of the World War, the Yankee Division

G. L. (Ter. Ed.), 266, § 70, etc., amended.

Unlawful use of insignia.

Veterans' Association, The American Legion, the American Veterans of World War II, AMVETS or the Marine Corps League, wilfully wears or uses the insignia, distinctive ribbons or membership rosette or button thereof for the purpose of representing that he is a member thereof shall be punished by a fine of not more than twenty dollars or by imprisonment for not more than one month, or both.

Approved June 4, 1946.

Chap.410 AN ACT RELATIVE TO THE EXEMPTION FROM TAXATION OF CERTAIN PROPERTY HELD BY A CITY, TOWN OR DISTRICT IN ANOTHER CITY OR TOWN FOR PUBLIC AIRPORT PURPOSES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 59, § 6, etc., amended.

Exemption from taxation of certain property used for public airport purposes.

Section six of chapter fifty-nine of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter four hundred and forty of the acts of nineteen hundred and forty-one, and inserting in place thereof the following paragraph:— Property held by a city, town or district, including the metropolitan water district, in another city or town for the purpose of a water supply, the protection of its sources, or of sewage disposal, or of a public airport, if yielding no rent, shall not be liable to taxation therein; but the city, town or district so holding it shall, annually on July first, pay to the city or town where it lies an amount equal to that which such city or town would receive for taxes upon the average of the assessed values of the land, which shall not include buildings or other structures except in the case of land taken for the purpose of protecting the sources of an existing water supply, for the three years last preceding the acquisition thereof, the valuation for each year being reduced by all abatements thereon. Any part of such land or buildings from which any revenue in the nature of rent is received shall be subject to taxation. Revenue received for the use of such areas of land within the property so held for the purpose of a public airport as are used for the take-off and landing of aircraft, including runways and taxi strips, or for the use of buildings on such property, which are used as a terminal or administration building or for housing, servicing and repairing aircraft, shall not be deemed to be rent or revenue in the nature of rent within the meaning of this paragraph.

Approved June 4, 1946.

Chap.411 AN ACT PROVIDING THAT STATE EMPLOYEES WHOSE REGULAR DAY OFF DUTY FALLS ON A HOLIDAY SHALL BE GIVEN AN ADDITIONAL DAY OFF OR AN ADDITIONAL DAY'S PAY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 30, § 24A, etc., amended.

Section twenty-four A of chapter thirty of the General Laws, inserted by chapter five hundred and sixty-five of the acts of nineteen hundred and forty-five, is hereby

amended by adding at the end the following: — ; provided, that, in the case of an employee who regularly works six days a week and whose regular day off falls on any of the aforementioned holidays, an additional day off shall be allowed, or payment in lieu of one day off shall be allowed, in the same manner as hereinabove provided for employees who are required to work on such holiday, — so as to read as follows: — *Section 24A.* If any person employed by the commonwealth is required to work on January first, February twenty-second, April nineteenth, May thirtieth, July fourth, the first Monday of September, October twelfth, November eleventh, Thanksgiving day or Christmas day, or the day following when any of the five days first mentioned, or October twelfth, November eleventh or Christmas day, occurs on Sunday, he shall be given an additional day off, or, if such additional day off cannot be given by reason of a personnel shortage or other cause, he shall be entitled to an additional day's pay, or if not paid by the day an amount equal to one sixth of his weekly pay or one twenty-fifth of his monthly pay, as the case may be; provided, that, in the case of an employee who regularly works six days a week and whose regular day off falls on any of the aforementioned holidays, an additional day off shall be allowed, or payment in lieu of one day off shall be allowed, in the same manner as hereinabove provided for employees who are required to work on such holiday.

Additional day off duty, etc., for state employees required to work on legal holidays.

Approved June 4, 1946.

AN ACT TO PREVENT THE SPREAD OF POULTRY DISEASES.

Chap. 412

Be it enacted, etc., as follows:

Section one hundred and eleven of chapter one hundred and thirty-one of the General Laws, as appearing in section two of chapter five hundred and ninety-nine of the acts of nineteen hundred and forty-one, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 131, § 111, etc., amended.

No live bird protected by this chapter shall be brought into the commonwealth or released therein by any person if such bird is known to be diseased, nor shall any such bird be so brought or released unless it shall have been tested within the preceding three months for bacillary white diarrhoea by the veterinary department of Massachusetts State College and found to be free of bacillary white diarrhoea or any transmissible poultry disease and is accompanied by a certificate to that effect issued by the department of agriculture; provided, that, notwithstanding the foregoing, the department of agriculture may certify such birds for admission from another state if each pen or shipment is accompanied by a satisfactory certificate of freedom from disease issued by corresponding officials of such other state. The director shall enforce this section.

Poultry diseases, prevention of.

Approved June 4, 1946.

Chap.413 AN ACT PROVIDING FOR THE DREDGING BY THE DEPARTMENT OF PUBLIC WORKS OF A CHANNEL FROM SALEM BAY TO THE PALMER COVE YACHT CLUB AND OF A BASIN IN FRONT OF SAID CLUB.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to dredge a channel for a distance of approximately six tenths of a mile, to a depth of not less than six feet at mean low water, extending from Salem bay westerly to the area in front of Palmer Cove Yacht Club located on the Palmer cove shore of the Salem harbor, and to dredge a basin in said area to a depth of not less than eight feet at mean low water. For said purposes, said department may expend such sums not exceeding, in the aggregate, fifty thousand dollars, of which amount one half shall be paid by the commonwealth from item 2202-11 of section two of chapter three hundred and nine of the acts of the current year, and one half shall be contributed by the city of Salem.

Approved June 4, 1946.

Chap.414 AN ACT REQUIRING THAT EMPLOYERS PAYING WAGES BY CHECK SHALL PROVIDE REASONABLE FACILITIES FOR THE CASHING OF THE SAME WITHOUT CHARGE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 149, § 148, etc., amended.

Section one hundred and forty-eight of chapter one hundred and forty-nine of the General Laws, as most recently amended by chapter five hundred and sixty-three of the acts of nineteen hundred and forty-three, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Payment of wages by check regulated.

Any employer paying wages to an employee by check or draft shall provide for such employee such facilities for the cashing of such check or draft at a bank or elsewhere, without charge by deduction from the face amount thereof or otherwise, as shall be deemed by the commissioner of labor and industries to be reasonable. The state treasurer may in his discretion in writing exempt himself and any other public officer from the provisions of this paragraph.

Approved June 4, 1946.

Chap.415 AN ACT FURTHER REGULATING THE GRANTING OF AID TO DEPENDENT CHILDREN.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 118, § 2, etc., amended.

Chapter one hundred and eighteen of the General Laws is hereby amended by striking out section two, as most recently amended by section one of chapter five hundred and thirty-two of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 2.* In every town the board of public welfare, subject to

Aid to dependent children.

the supervision of the department and in compliance with the rules and regulations adopted by the department pursuant to the provisions of this chapter, shall aid every parent in properly bringing up, in his or her own home, each dependent child if such parent is fit to bring up such child, but no aid shall be granted under this chapter for or on account of any child unless (1) such child has resided in the commonwealth one year immediately preceding the application for such aid, or (2) such child was born within the commonwealth within one year immediately preceding such application, if its mother has resided in the commonwealth for one year immediately preceding the birth. The aid furnished shall be sufficient to enable such parent to bring up such child or children properly in his or her own home, and shall be in an amount to be determined in accordance with budgetary standards as approved by the department, and shall be granted from the date of application therefor, and no person shall be denied aid under this chapter because of the lack of a legal settlement in the commonwealth or in the town from which such aid is requested. In the event of the commitment of any such parent to an institution as an insane person, expenses for medical, hospital and other services rendered on account of such parent or any dependent child in his or her care or custody, including expenses of the funeral of any such dependent child who may have died, which remain unpaid at the time of such commitment may be paid by the town directly to the person furnishing such services, subject to any rule or regulation of the department relative to reimbursement under this chapter. In the event of the death of any such parent, expenses for medical, hospital and other services rendered on account of such parent or any dependent child in his or her care or custody, including expenses of the funeral of any such dependent child who may have died, which remain unpaid at the time of the death of such parent, and also expenses of the funeral of such parent, may be paid by the town directly to the person furnishing such services, subject to any rule or regulation of the department relative to reimbursement under this chapter. In addition, expenses for medical, hospital and other services rendered on account of such parent or any dependent child in his or her care or custody, including expenses of the funeral of any such dependent child who may have died, may be paid by the town directly to the person furnishing such services, subject to any rule or regulation of the department relative to reimbursement under this chapter, in any case where such payment is necessary to discharge an obligation incurred in securing such services for such parent or dependent child. Nothing in this chapter shall be construed as authorizing any public official, agent or representative, in carrying out any provision of this chapter, to take charge of any child over the objection of either the father or the mother of such child, or of the person standing in loco parentis to such child, except pursuant to a proper court order.

Approved June 4, 1946.

Chap.416 AN ACT RELATIVE TO THE TRANSPORTATION OF BOVINE ANIMALS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 129, § 40, etc., amended.

Transportation of bovine animals regulated.

SECTION 1. Chapter one hundred and twenty-nine of the General Laws is hereby amended by striking out section forty, inserted by section one of chapter six hundred and seven of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section:— *Section 40.* Each vehicle used for the transportation of bovine animals by any person engaged in the business of dealing in such animals, when operated on any way in the commonwealth, shall bear a metal license plate, attached to the side of the body of the vehicle to the left of the person operating or driving the same, such plate to be furnished by the director upon payment of a fee of fifty cents. Said plate shall be valid for the term for which the license is granted, but shall be returned to the director on revocation of said license.

G. L. (Ter. Ed.), 129, § 43, etc., amended.

Penalty.

SECTION 2. Said chapter one hundred and twenty-nine is hereby further amended by striking out section forty-three, inserted by said section one of said chapter six hundred and seven, and inserting in place thereof the following section:— *Section 43.* Whoever violates any provision of sections thirty-nine to forty-two, inclusive, or of any rule or regulation made under section thirty-nine, shall be punished for a first offence by a fine of not more than one hundred dollars and for any subsequent offence by a fine of not more than five hundred dollars, or by imprisonment for not more than two and one half years, or both.

Approved June 4, 1946.

Chap.417 AN ACT INCREASING THE AMOUNT OF STATE REIMBURSEMENT FOR THE KILLING OF CATTLE REACTING TO THE TUBERCULIN TEST.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 129, § 33, etc., amended.

State reimbursement for killing certain diseased cattle.

Section thirty-three of chapter one hundred and twenty-nine of the General Laws, as most recently amended by chapter two hundred and seventy-two of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out, in the thirty-second line, the words "one half" and inserting in place thereof the words:— two thirds, — by striking out, in the thirty-sixth line, the word "fifty" and inserting in place thereof the words:— one hundred, — and by striking out, in the thirty-sixth and thirty-seventh lines, the word "seventy-five" and inserting in place thereof the words:— one hundred and twenty-five, — so as to read as follows:— *Section 33.* Except as otherwise provided, a person who has animals tested with tuberculin shall not be entitled to compensation from the commonwealth for any animals which react to the tuberculin test unless they have been tested by the director or qualified veterinarians acting

under his authorization and have been owned and kept by the owner applying for the test on the premises where tested for a period of not less than sixty days next prior to the date of said test or have been admitted to the herd on a test approved by the director. The director may prescribe rules and regulations for the inspection of cattle by the application of the tuberculin test and for the segregation, sale or slaughter of reacting animals; but no inspection by the application of such test shall be made unless an agreement has previously been entered into for such inspection and application with the owner of the animals, except as provided in section thirty-three B. If, in the opinion of the director, any of the animals react to the test and are slaughtered in consequence thereof, the owner shall be reimbursed by the commonwealth in the manner hereinafter provided. The director may appoint persons to make appraisals of reacting cattle in conjunction with the owner or his authorized representative. Such appraisal shall be subject to the rights of arbitration and petition set forth in section thirty-one; provided, that the award or damages shall be within the limits prescribed by this section. The commonwealth shall, within thirty days after the filing in the office of the director of a valid claim for reimbursement in pursuance of such an appraisal or of an award under section thirty-one, pay to the owner of any animal slaughtered under authority of any rules or regulations made hereunder, or to any mortgagee or assignee designated in writing by said owner, two thirds of the difference between the amount received by the owner for the carcass of the animal and the value of the animal as determined by appraisal as aforesaid; provided, that payment by the commonwealth hereunder shall not exceed one hundred dollars for any grade animal or one hundred and twenty-five dollars for any pure-bred animal; and provided, further, that no payment shall be made for any animal if, since the previous test, the owner or his representative has violated the rules and regulations made hereunder; and provided, further, that the owner or his representative has not unlawfully or improperly obtained or attempted to obtain reimbursement for any animal; and provided, further, that the owner or his representative has not, in the opinion of the director, by wilful act or neglect, contributed to the spread of bovine tuberculosis.

Approved June 4, 1946.

AN ACT TO INCREASE TO SIX HUNDRED DOLLARS THE MINIMUM PENSION PROVIDED FOR CERTAIN PUBLIC SCHOOL TEACHERS WHO RETIRED ON OR BEFORE DECEMBER THIRTY-FIRST, NINETEEN HUNDRED AND FORTY-FIVE. Chap.418

Whereas, The purpose of this act is to provide for the making of certain payments prior to the expiration of ninety days after its passage and the deferred operation thereof would prevent the achievement of said purpose, therefore

Emergency
preamble.

this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

From June first, nineteen hundred and forty-six, members of the Teachers' Retirement Association retired under section ten of chapter thirty-two of the General Laws, as in effect on December thirty-first, nineteen hundred and forty-five, or corresponding provisions of earlier law, shall receive a retirement allowance at the annual rate which they would have received if, at the time of their retirement, the minimum pension under paragraphs (4), (5) and (10) of said section, or corresponding provisions of earlier law, had been the annual amount of pension which, when added to the annual amount which would have been paid from the annuity fund if the member had chosen an annuity under paragraph (3) (a) of said section, or corresponding provisions of earlier law, would have provided a retirement allowance of six hundred dollars.

Approved June 5, 1946.

Chap. 419 AN ACT RELATIVE TO DEDUCTIONS FROM THE SALARIES OF CERTAIN SCHOOL TEACHERS OF THE TOWN OF EASTON UNDER THE TEACHERS' RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Deductions from the salaries of school teachers of the town of Easton heretofore made under the teachers' retirement system shall have the same force and effect as if their salaries on which such deductions were based had been paid wholly by the treasurer of said town.

SECTION 2. This act shall take effect upon its passage.

Approved June 5, 1946.

Chap. 420 AN ACT MAKING FURTHER CHANGES IN THE LAWS RELATIVE TO CARRIERS OF PROPERTY BY MOTOR VEHICLES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to make immediately subject to forfeiture certain rights of certain carriers of property by motor vehicle for failure to render service in accordance with certificates issued to them, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 159B, § 3,
etc., amended.

SECTION 1. Paragraph (c) of section three of chapter one hundred and fifty-nine B of the General Laws, as most recently amended by section two of chapter four hundred of the acts of nineteen hundred and forty-five, is hereby further amended by striking out, in the third line, the word "refuses" and inserting in place thereof the word: — fails, — by striking out, in the ninth line, the word "refused" and

inserting in place thereof the word:— failed,— and by striking out, in the twelfth line, the word “refusal” and inserting in place thereof the word:— failure,— so as to read as follows:—

(c) Any regular or irregular route common carrier who, during any period of not less than sixty consecutive days, fails to render any part of the service authorized by his certificate except for the reason that the ways over which he must operate are impassable because of floods, condition of the highways or other causes of like nature not within his control, shall be deemed to have abandoned that part of the service authorized by his certificate, and if, after a hearing, the department finds that such carrier has so failed to render service in accordance with his certificate, and not for any reason set forth in the foregoing exceptions, his rights thereto to the extent of his failure to render service shall be forfeited and the department shall reissue his certificate subject to the resulting limitations.

Forfeiture of certificate due to refusal to order service authorized.

SECTION 2. Section eight of said chapter four hundred of the acts of nineteen hundred and forty-five is hereby repealed.

Approved June 5, 1946.

AN ACT PERMITTING FISHING IN CERTAIN PARTS OF THE QUABBIN RESERVOIR FROM THE SHORE THEREOF. Chap. 421

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, fishing in the waters of the Quabbin reservoir is hereby permitted from the shore thereof

(1) Along that part thereof beginning at the southerly end of the baffle dam, between shaft twelve and shaft eleven A, and thence running to said shaft eleven A and along the shore line to a point thereon westerly from the northerly tip of Russ Mountain Island, so called, where the Franklin county-Hampshire county boundary line crossed prior to the change thereof under authority of chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, as amended by chapter two hundred and forty of the acts of nineteen hundred and thirty-eight, and

(2) Along that part of the shore of said reservoir beginning at a point where the west branch Swift river enters said reservoir and thence running along the shore line in the towns of Shutesbury, Pelham and Belchertown to Cadwell brook in said town of Belchertown. Such fishing shall, except as otherwise provided in this act, be subject to the provisions of chapter one hundred and thirty-one of the General Laws, as appearing in section two of chapter five hundred and ninety-nine of the acts of nineteen hundred and forty-one.

SECTION 2. The areas referred to in section one of this act where fishing is permitted shall be policed by the department of conservation for the purpose of enforcing the fish and game laws, and such warning and other signs and

appurtenances as may be necessary in such enforcement shall be provided by said department.

SECTION 3. Whoever fishes in the Quabbin reservoir except as permitted by section one of this act shall be punished as provided in section one hundred and thirteen of said chapter one hundred and thirty-one and his license shall be revoked by the director for a period of one year.

Approved June 5, 1946.

Chap.422 AN ACT TO STANDARDIZE THE ALLOWANCES FOR SICK LEAVE CREDITS IN CASES OF PERSONAL INJURIES TO PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 152, § 69, etc., amended.

Allowances
for sick leave.

Section sixty-nine of chapter one hundred and fifty-two of the General Laws, as most recently amended by chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the words inserted by said chapter seven hundred and twenty-nine and inserting in place thereof the following: — and except that such salary or wages may be paid in part until any sick leave allowance which the employee has to his credit has been used, any other provisions of law notwithstanding. An employee who is entitled to any sick leave allowance may take such of his sick leave allowance payment as, when added to the amount of any disability compensation herein provided, will result in the payment to him of his full salary or wages.

Approved June 5, 1946.

Chap.423 AN ACT PROVIDING FOR A MORE PROMPT AND AVAILABLE METHOD FOR THE ADOPTION BY CITIES, TOWNS OR DISTRICTS OF ORDINANCES, BY-LAWS OR REGULATIONS FOR THE PREVENTION OF FIRE AND PRESERVATION OF LIFE, HEALTH AND MORALS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 143, § 3, etc., amended.

Ordinances,
etc., relative
to construction,
etc., of
buildings.

Section three of chapter one hundred and forty-three of the General Laws, as most recently amended by section two of chapter three hundred and sixty-three of the acts of the current year, is hereby further amended by inserting after the second paragraph the following paragraph: —

Any city, town or district subject to this section may petition the board of standards to propose regulations relative to the construction, alteration and maintenance of buildings and other structures in such city, town or district, as the case may be; provided, that such petition shall have been authorized, in such a city by vote of its city council, or in such a town by vote of the town, or in such a district by vote of its district committee. A certified copy of such proposed regulations shall forthwith be filed by the board in the office of the state secretary, and with the clerk of such city or town, or with the district committee of such district, shall be specifically identified in the records of such offices, and shall be

open to public inspection. If such regulations are thereafter accepted, in a city by vote of its city council, in a town by vote of the town, or in a district by vote of its district committee, they shall thereupon be effective in such city, town or district, and in a city shall have the effect of ordinances and in a town of by-laws. The procedure for the amendment of such regulations shall, as nearly as possible, conform to that for the original adoption thereof; provided, that if the city, town or district shall fail to petition for the proposal of an amendment which the board of standards deems necessary, said board may of its own motion propose such amendment, shall notify such city, town or district in writing of the same and shall file a certified copy thereof, specifically identified, in the office of the state secretary and with the clerk of such city or town, or with the district committee of such district. Said board shall cause said ordinances, by-laws or regulations, as the case may be, including any duly accepted amendments thereto, with their proper identification, to be printed in pamphlet form, and shall furnish to any city, town, district or person such printed forms upon the payment of a fee to be approved by the commission on administration and finance.

Approved June 5, 1946.

AN ACT PROVIDING THAT THE TIME BETWEEN THE RELEASE OF CERTAIN PRISONERS UPON PERMITS OR ON PAROLE AND THE REVOCATION THEREOF SHALL BE CONSIDERED AS PART OF THE TERMS OF THEIR SENTENCES.

Chap. 424

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out section one hundred and forty-nine, as most recently amended by section three of chapter six hundred and ninety of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section: — *Section 149.* The parole board, the county commissioners or, in Suffolk county, the penal institutions commissioner of Boston, if a permit to be at liberty granted or issued by them, respectively, has become void or has been revoked, or if a prisoner on parole under section one hundred and forty-one has been ordered to return to prison, may order the arrest of the holder of such permit or of such prisoner on parole by any officer qualified to serve civil or criminal process in any county, and the return of such holder or of such prisoner on parole to the prison to which he was originally sentenced. A prisoner who has been so returned to prison shall be detained therein according to the terms of his original sentence. In computing the period of his confinement, the time between his release upon a permit or on parole and the revocation of such permit or parole shall be considered as part of the term of his sentence, and the time between the revocation of his permit or parole and his return to the prison to which he was origi-

G. L. (Ter. Ed.), 127, § 149, etc., amended.

Arrest for violation of permits, etc.

nally sentenced shall not be considered as any part of the term of his original sentence. If at the time of the order to return to prison or of the revocation of his permit he is confined in any prison, service of such order shall not be made until his release therefrom, and the time served by him upon any sentence under which he is so confined shall not be considered as any part of the term of his original sentence.

SECTION 2. This act shall apply to prisoners sentenced before as well as after its effective date.

Approved June 5, 1946.

Chap.425 AN ACT RESTORING TO M. MARION WATTS THE RIGHT TO BE RETIRED UNDER THE TEACHERS' RETIREMENT LAW IF FOUND TO BE PERMANENTLY INCAPABLE OF RENDERING SATISFACTORY SERVICE AS A TEACHER ON ACCOUNT OF PHYSICAL OR MENTAL DISABILITY.

Be it enacted, etc., as follows:

SECTION 1. The school committee of the town of Northbridge shall have the right, subject to the final approval of the teachers' retirement board, to retire M. Marion Watts in accordance with the provisions of paragraphs (8) and (13) of section ten of chapter thirty-two of the General Laws, as in effect immediately prior to January first, nineteen hundred and forty-six, in the same manner as though she had been on leave of absence up to the date such action is taken; provided, that it is found that she is now, and has been since the year nineteen hundred and forty-one, permanently incapable of rendering satisfactory service as a teacher on account of physical or mental disability.

SECTION 2. If said M. Marion Watts is retired under section one of this act, she shall receive from the date the retirement is approved by the teachers' retirement board the retirement allowance which she would have received under paragraphs (9) and (10) of said section ten of said chapter thirty-two, as in effect immediately prior to January first, nineteen hundred and forty-six, if she had been on leave of absence up to the date of such approval, and the annual salary for her position had continued to be fifteen hundred and fifty dollars, the rate she was receiving when her service terminated.

Approved June 5, 1946.

Chap.426 AN ACT AUTHORIZING THE CITY OF CHELSEA TO REIMBURSE LOUISE COLEMAN FOR CERTAIN EXPENSES INCURRED BY REASON OF INJURIES SUSTAINED BY HER IN THE PERFORMANCE OF DUTY AS A CLERK IN THE OFFICE OF THE CITY TREASURER.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Chelsea may pay to Louise Coleman the sum of twenty-five hundred dollars to reimburse her for

expenses of hospital and medical care incurred by her on account of injuries received in the performance of her duty as a clerk in the office of the city treasurer of said city.

SECTION 2. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved June 5, 1946.

AN ACT RELATIVE TO THE SALARY OF THE COURT OFFICER IN ATTENDANCE UPON THE LAND COURT IN SUFFOLK COUNTY. Chap. 427

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and twenty-one of the General Laws is hereby amended by striking out section seventy-three, as most recently amended by section one of chapter three hundred and eighty-eight of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section: — *Section 73.* Each officer in attendance upon the superior court in Suffolk county who is appointed under section seventy shall receive from said county in full for all services performed by him such salary as shall be fixed by the justices of said court, with the approval of the justices of the supreme judicial court. Each officer in attendance upon the supreme judicial court in said county shall receive in full for all services performed by him such salary as shall be fixed by the justices of the supreme judicial court, of which salary five hundred and twenty-eight dollars shall be paid by the commonwealth and the remainder by said county. The officer in attendance upon the land court in said county shall receive in full for all services performed by him such salary as shall be fixed by the judges of said court, with the approval of the justices of the supreme judicial court. Each officer in attendance upon the probate court in said county shall receive in full for all services performed by him such salary as shall be fixed by the judges of said court, with the approval of the justices of the supreme judicial court.

G. L. (Ter. Ed.), 221, § 73, etc., amended.

Salaries of certain court officers.

SECTION 2. Section fourteen of chapter one hundred and eighty-five of the General Laws, as appearing in the Tercenary Edition, is hereby amended by striking out, in the tenth, eleventh and twelfth lines, the following sentence: — “The salary of the officer in attendance upon the court in Suffolk county shall be twenty-four hundred and eighty-four dollars, in full for all services performed by him.”

G. L. (Ter. Ed.), 185, § 14, amended.

Salary of court officer.

SECTION 3. Notwithstanding the provisions of section two of this act, the salary of the court officer in attendance upon the land court in Suffolk county, as established by section fourteen of chapter one hundred and eighty-five of the General Laws, shall continue in force until his salary is fixed as provided by section one of this act.

Temporary provisions.

Approved June 5, 1946.

Chap. 428 AN ACT INCORPORATING THE LOWELL TEXTILE INSTITUTE BUILDING ASSOCIATION FOR THE PURPOSE OF PROVIDING ADDITIONAL DORMITORY AND OTHER FACILITIES FOR SAID INSTITUTE.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to provide urgently needed dormitory facilities for students at the Lowell Textile Institute during the next ensuing academic year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Thomas F. Costello of Lowell, Roland E. Derby of Tyngsborough, Albert J. Gilet of Lowell, Harold T. Godfrey of Andover, Walter J. Hamburger of Dedham, Ralph K. Hubbard of Webster, Harold W. Leitch of Andover, Carleton J. Lombard of Chelmsford, Francis P. Madden of Winthrop, Edward P. McGuire of Boston, Samuel Pinanski of Brookline, Ernest D. Walen of Andover, and their successors, are hereby made a corporation, by the name of Lowell Textile Institute Building Association, for the purpose of constructing, equipping and maintaining buildings for dormitories, commons and other uses connected with the Lowell Textile Institute.

No funds of said corporation shall be distributed among its own members other than those employed by it, but all such funds shall be devoted solely to the carrying out of the purposes for which said corporation is created.

SECTION 2. Said corporation shall have authority to hold for the purpose aforesaid real and personal estate to an amount not exceeding five hundred thousand dollars.

SECTION 3. The incorporators named in section one and their successors shall constitute the members of said corporation and its board of directors. Whenever a vacancy shall occur in said membership and board the remaining members and directors shall fill such vacancy.

SECTION 4. Said directors shall appoint a president, a treasurer, a clerk and such other officers as they may deem necessary, and may prescribe their duties, and may require the treasurer to give bond with satisfactory sureties in such sum as in their discretion they may deem wise and expedient.

SECTION 5. Said corporation may make by-laws consistent with law.

SECTION 6. The trustees of the Lowell Textile Institute may, in the name of and for the commonwealth and subject to the approval of the governor and council, lease to said corporation land in the city of Lowell owned by the commonwealth, for the erection and maintenance of dormitories, commons and other buildings for the use of said institute or its students. Such leases may provide that any buildings erected on such land shall remain the property of said corporation except as hereinafter provided. Said trustees may,

in the name of and for the commonwealth, take leases of any real estate or buildings owned by said corporation, for any use in any way connected with said institute. Any building so leased shall become the property of the commonwealth upon the payment in full of all obligations incurred hereunder by said corporation with respect to such buildings. No land leased under this act to said corporation, and no property or income of said corporation, shall be subject to local or state taxation.

SECTION 7. Said corporation may borrow money and issue bonds therefor, and may pledge as security for their payment the rentals receivable under any lease made by said corporation to said trustees, as hereinbefore provided. Such bonds, if secured by a pledge of such rentals sufficient in amount to meet the principal and interest of such bonds, shall be legal investments for savings banks in this commonwealth and for domestic life insurance companies, and the income therefrom shall be exempt from taxation in this commonwealth.

Approved June 5, 1946.

AN ACT RELATIVE TO THE PENSION OF JOHN J. GORMAN, *Chap.429*
CHIEF ENGINEER OF THE FIRE DEPARTMENT OF THE TOWN
OF WINCHESTER.

Be it enacted, etc., as follows:

SECTION 1. The town of Winchester is hereby authorized to pay annually to John J. Gorman, chief engineer of the fire department of said town, from and after the time of the actual termination of his service, as a pension under section eighty-five of chapter thirty-two of the General Laws, the sum of eighteen hundred and fifty dollars, being a sum equal to one half of his annual compensation at the present rate thereof.

SECTION 2. This act shall take effect upon its passage.

Approved June 5, 1946.

AN ACT RELATIVE TO PAYMENTS, IN LIEU OF VACATIONS, IN *Chap.430*
THE CASE OF CERTAIN EMPLOYEES OF THE COMMONWEALTH
WHO HAVE BEEN GRANTED LEAVES OF ABSENCE TO ENTER
THE ARMED FORCES OF THE UNITED STATES DURING THE
PRESENT WAR.

Whereas, It is necessary that this act be made effective forthwith in order to enable certain employees of the commonwealth who served in the armed forces to obtain at once the benefits thereof, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Any person in the service of the commonwealth who, prior to April thirtieth, nineteen hundred and forty-three, resigned or was granted a leave of absence

from the service of the commonwealth to enter the armed forces of the United States during the present war and who, upon honorable discharge from such service in said armed forces, has returned or returns to the service of the commonwealth, shall be paid an amount equal to the vacation allowance as earned in the vacation year prior to his entry into such service in said armed forces which had not been granted prior to military leave and, in addition, that portion of the vacation allowance earned in the vacation year during which he entered such service, up to the time of military leave; provided, that no monetary or other allowance has already been made therefor.

SECTION 2. Chapter four hundred and eleven of the acts of nineteen hundred and forty-five is hereby repealed.

Approved June 5, 1946.

Chap.431 AN ACT RELATIVE TO THE HOURS OF DUTY OF PERMANENT MEMBERS OF THE FIRE DEPARTMENT IN THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

SECTION 1. The provisions of section fifty-eight A of chapter forty-eight of the General Laws, providing for a seventy hour week, so called, for permanent members of fire departments, shall apply in the city of Pittsfield upon the acceptance of said provisions by the voters of said city as hereinafter provided, notwithstanding any provision of said section fifty-eight A to the contrary.

SECTION 2. There shall be placed upon the official ballot to be used at the biennial state election in said city in the current year the following question: "Shall section fifty-eight A of chapter forty-eight of the General Laws, providing for a seventy hour week, so called, for permanent members of fire departments, be accepted by this city?" If a majority of the votes cast in answer to said question is in the affirmative, said section shall take effect in said city ninety days thereafter.

SECTION 3. This act shall take effect upon its passage.

Approved June 5, 1946.

Chap.432 AN ACT RELATIVE TO THE ASSESSMENT AND COLLECTION OF CERTAIN CHARGES, ASSESSMENTS AND TAXES PAYABLE INTO THE STATE TREASURY BY CITIES AND TOWNS.

Emergency
preamble.

Whereas, Under existing law certain charges and assessments payable into the state treasury by cities and towns are not determinable at the time when the state tax for the current year is payable, namely in June of the current year, and immediate provision should be made for such payment at a later date, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter fifty-nine of the General Laws is hereby amended by striking out section twenty, as most recently amended by section one of chapter three hundred and seventy-six of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following section: — *Section 20.* The state treasurer, not later than November first in each year, shall send his warrants by mail to the assessors of the several cities and towns for the payment of charges and assessments under general or special law, including the metropolitan district assessments, which may be due and payable to the commonwealth as specifically provided by law or as certified to him by the proper board, department or commission, requiring them severally to issue their warrant or warrants requiring the treasurers of their several cities and towns to pay to the state treasurer not later than November twentieth in such year all sums assessed upon them, except that when a state tax is to be assessed it shall be assessed and paid in accordance with the law imposing such tax.

G. L. (Ter. Ed.), 59, § 20, etc., amended.

State treasurer to send tax warrants, etc.

If the amount due and payable from any city or town as aforesaid is not paid to the state treasurer within the time specified, he shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the sum assessed, such further sum as would equal one per cent per month during the delinquency from and after the time specified; and if it remains unpaid after the expiration of ten days after the time specified, an information may be filed by the state treasurer in the supreme judicial court or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of the sum so assessed under such penalties as the court or the justice thereof before whom the hearing is had, shall order. The state treasurer may deduct at any time from any moneys which may be due from the commonwealth to any city or town, the whole or any part of the sum so assessed or any other sum or sums which may be due and payable to the commonwealth from such city or town, with the interest accrued thereon.

SECTION 2. Section twenty-one of said chapter fifty-nine, as most recently amended by section seven of chapter six hundred and twenty-four of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the first three sentences and inserting in place thereof the five following sentences: — The assessors shall assess state and county taxes duly certified to them. The assessors shall also assess as estimated in advance by the commissioner charges and assessments for which the state treasurer will be required under section twenty to send his warrant not later than November first next following the assessment by

G. L. (Ter. Ed.), 59, § 21, etc., amended.

Duties of assessors.

the assessors. If at the time of fixing the tax rate in any year the warrant for the state tax, if any, for such year has not been received or the county tax for such year has not been certified, the assessors may nevertheless fix the tax rate for such year and shall in such event assess in such year such state and county taxes as estimated in advance by the commissioner. The commissioner shall notify the assessors of his estimates of such assessments, charges and taxes on or before May first of such year. Any balance of such assessments, charges and taxes not so assessed in such year by reason of an under-estimate by the commissioner shall be assessed in the next subsequent year and any excess assessed in accordance with the foregoing provision by reason of an over-estimate by him shall be deducted in determining the amount to be assessed in the next subsequent year.

G. L. (Ter.
Ed.), 32,
§ 21, etc.,
amended.

SECTION 3. Subdivision (2) of section twenty-one of chapter thirty-two of the General Laws, as appearing in section one of chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five, is hereby amended by striking out, in the thirteenth and fourteenth lines, the words "in the same manner and subject to the same penalties as state taxes" and inserting in place thereof the words:— as provided by section twenty of chapter fifty-nine, — so as to read as follows:—

County re-
tirement
system, state
treasurer to
issue tax
warrants
under.

(2) Any expenses incurred under the provisions of this section in connection with the supervision of any system shall be paid primarily by the commonwealth. Each county which maintains a system shall reimburse the commonwealth for such proportion of such expenses attributable to such counties as shall be determined just and proper by the commissioner of insurance and assessed thereon by the state treasurer. The state treasurer shall issue his warrant requiring the assessors of the cities and towns concerned to assess a tax to the amount of such expenses attributable to such cities and towns as determined by the commissioner, and such amount shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine.

G. L. (Ter.
Ed.), 44, § 41,
amended.

SECTION 4. Chapter forty-four of the General Laws is hereby amended by striking out section forty-one, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 41.* The expenses incurred under sections thirty-five to forty, inclusive, shall be paid primarily by the commonwealth; and the state treasurer shall issue his warrant requiring the assessors of the cities and towns concerned and of the towns in which such district is located to assess a tax to the amount of said expense, and such amounts shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine. Any balance due shall be assessed, collected and paid in the succeeding years in like manner.

Expenses of
auditing, etc.

G. L. (Ter.
Ed.), 92, § 8,
amended.

SECTION 5. Section eight of chapter ninety-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the seventh and eighth

lines, the words "at the time required for payment of its proportion of the state tax" and inserting in place thereof the following: — as provided by section twenty of chapter fifty-nine, — so as to read as follows: — *Section 8.* The amount of money required each year from every such town to meet the interest and sinking fund requirements and cost aforesaid for that system in which it is included, and the deficiency, if any, shall be estimated by the state treasurer in accordance with the proportions as determined aforesaid by the commission, and shall be included and made a part of the sum charged to such town, and shall be paid by the town to the commonwealth as provided by section twenty of chapter fifty-nine.

Metropolitan sewer districts, annual determination of proportion of payments.

SECTION 6. The second paragraph of section twenty-six of said chapter ninety-two, as most recently amended by section two of chapter five hundred and eighty-seven of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The state treasurer shall annually notify each town assessed under the provisions of this section and of section ten, of the amount of its assessment, and, except as otherwise provided by section twenty-six A, the same shall be paid by the town to the commonwealth as provided by section twenty of chapter fifty-nine, — so as to read as follows: —

G. L. (Ter. Ed.), 92, § 26, etc., amended.

The state treasurer shall annually notify each town assessed under the provisions of this section and of section ten, of the amount of its assessment, and, except as otherwise provided by section twenty-six A, the same shall be paid by the town to the commonwealth as provided by section twenty of chapter fifty-nine. The commission shall annually notify the commissioner of corporations and taxation of the liability of any water company for the payment for any water supplied under the provisions of section ten and said commissioner shall collect such cost as a part of the franchise tax of such water company. All such payments shall be transferred to the state treasurer and used by him to meet the expenses of maintenance and operation of the metropolitan water works.

Assessments for maintenance, etc., of water works.

SECTION 7. Section fifty-eight of said chapter ninety-two, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the eighth and ninth lines, the words "at the time required for the payment of its proportion of the state tax" and inserting in place thereof the words: — as provided by section twenty of chapter fifty-nine, — so as to read as follows: — *Section 58.* The amount of money required each year from every such town to meet the interest, sinking fund and serial or other bond requirements and the cost of maintenance aforesaid, and the deficiency, if any, shall be estimated by the state treasurer, in accordance with the proportions determined as aforesaid by said commission, together with any amounts required by law to be specially assessed upon any particular town, and shall be included and made a part of the sum charged to

G. L. (Ter. Ed.), 92, § 58, amended.

Assessments, payments.

such town, and shall be paid by such town into the state treasury as provided by section twenty of chapter fifty-nine.

G. L. (Ter.
Ed.), 92,
§ 59A, etc.,
amended.

Assessments,
when payable.

SECTION 8. Section fifty-nine A of said chapter ninety-two, inserted by section seven of chapter six hundred and thirty-seven of the acts of nineteen hundred and forty-five, is hereby amended by adding at the end the following sentence:— Annual assessments to meet the interest, sinking fund and serial or other bond requirements on account of each of such districts for any year shall be payable on November twentieth of such year and shall be made for the twelve month period ending November thirtieth of such year, except that annual assessments to meet such serial or other bond requirements on bonds other than those issued under chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, or any amendment thereof or addition thereto, shall be made for the twelve month period ending January second of the following year.

G. L. (Ter.
Ed.), 92,
§ 60, etc.,
amended.

State treasurer
to include
amounts,
etc.

SECTION 9. Section sixty of said chapter ninety-two, as amended by section three of chapter four hundred and twenty-nine of the acts of nineteen hundred and thirty-nine, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— The state treasurer shall include the amounts required of each town of said districts to meet said expenses in the sums assessed upon said towns and such amounts shall be paid by said towns to the commonwealth as provided by section twenty of chapter fifty-nine.

G. L. (Ter.
Ed.), 132, § 17,
etc., amended.

Payment for
forestry
preservation.

SECTION 10. Section seventeen of chapter one hundred and thirty-two of the General Laws, as amended by section six A of chapter four hundred and fifteen of the acts of nineteen hundred and thirty-seven, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— The cost of such work shall be certified by the forester to the state treasurer, and shall be collected from the city or town wherein such work is performed, in the manner provided by section twenty of chapter fifty-nine; provided, that no city or town shall be required to pay more for such work than would have been its liability as defined by section sixteen.

G. L. (Ter.
Ed.), 132A,
§ 5, amended.

Assessments
on cities
and towns.

SECTION 11. Section five of chapter one hundred and thirty-two A of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the seventh and eighth lines, the words "at the time required for the payment of its proportion of the state tax" and inserting in place thereof the words:— as provided by section twenty of chapter fifty-nine,— so as to read as follows:— *Section 5.* The amount of money required each year from every such city and town to meet the expenses and cost aforesaid, and the deficiency, if any, shall be estimated by the comptroller, and assessed by the state treasurer in accordance with the proportions determined as aforesaid, and shall be included and made a part of the sum charged to such city or town, and shall be paid by such city

or town into the state treasury as provided by section twenty of chapter fifty-nine.

SECTION 12. Any provision of general or special law specifically or by necessary inference requiring a city or town to pay a charge or assessment into the state treasury at the time or in the manner required for the payment of the state tax, or its proportion thereof, or as an addition to or part of such tax, shall be construed to mean that such charge or assessment shall be paid as provided by section twenty of chapter fifty-nine of the General Laws.

Approved June 5, 1946.

AN ACT RELATIVE TO THE BORROWING OF MONEY BY THE CITY OF WORCESTER FOR THE CONSTRUCTION AND THE ORIGINAL EQUIPMENT AND FURNISHING OF THE WORCESTER MUNICIPAL AIRPORT. Chap. 433

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter twenty-four of the acts of nineteen hundred and forty-one, as amended by chapter two hundred and thirty-two of the acts of nineteen hundred and forty-six, is hereby further amended by inserting after the word "construction" in the third line the words: — and original equipment, including fire and police apparatus, snow removal and other equipment necessary for the operation, — and by striking out, in the twelfth line, the words "sources of revenue of" and inserting in place thereof the words: — available revenue funds in, — so as to read as follows: — *Section 1.* The city of Worcester may, within a period of seven years from the passage of this act, incur indebtedness for the construction and original equipment, including fire and police apparatus, snow removal and other equipment necessary for the operation of a municipal airport, either within or without the city, and may issue bonds or notes therefor, which shall bear on their face the words, Worcester Municipal Airport Loan, Act of 1941. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates, but no loan shall be authorized under this act unless a sum equal to an amount not less than ten per cent of the loan so authorized is voted for the same purpose to be provided from taxes or other available revenue funds in the year when authorized. Indebtedness incurred under this act shall be in excess of the amount authorized by chapter two hundred and eleven of the Special Acts of nineteen hundred and sixteen, as amended by chapter one hundred and thirty-eight of the acts of nineteen hundred and twenty, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the first paragraph of section seven of said chapter.

SECTION 2. Any unexpended proceeds of any sums heretofore borrowed under the provisions of chapter twenty-four of the acts of nineteen hundred and forty-one or of chapter

two hundred and thirty-two of the acts of the current year may be used for the construction or the original equipment and furnishing of such airport.

SECTION 3. This act shall take effect upon its passage.

Approved June 5, 1946.

Chap.434 AN ACT RELATIVE TO THE TERMS OF CERTAIN NOTES TO BE ISSUED BY THE COMMONWEALTH.

Emergency
preamble.

Whereas, The deferred operation of this act would cause great inconvenience in the issue of notes to carry out the purposes of the veterans' bonus act, so called, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue, in anticipation of receipts from taxes imposed by the veterans' bonus act, so called, under section twelve of chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, as amended by section one of chapter one hundred and thirty-four of the acts of the current year, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and forty-nine, as recommended by the governor in a message to the general court, dated May sixteenth, nineteen hundred and forty-six, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

Approved June 5, 1946.

Chap.435 AN ACT AUTHORIZING THE TOWN OF WESTON TO BORROW MONEY FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of acquiring and developing land for schools, of constructing one or more school buildings and one or more additions to school buildings, and of originally equipping and furnishing such buildings and additions, or for any of such purposes, the town of Weston may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, four hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Weston School Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws,

including the requirement contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved June 5, 1946.

AN ACT RELATIVE TO THE FILING OF A PETITION IN THE
CURRENT YEAR IN THE CITY OF BOSTON UNDER THE LAW
REGULATING THE HOURS OF DUTY OF PERMANENT MEM-
BERS OF FIRE DEPARTMENTS IN CERTAIN CITIES AND
TOWNS. Chap. 436

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section fifty-eight B of chapter forty-eight of the General Laws, inserted by section one of chapter four hundred and thirteen of the acts of nineteen hundred and forty-five, upon petition of not less than fifteen thousand registered voters in the city of Boston, duly certified by the board of election commissioners and filed with the state secretary not later than June seventh in the current year, the state secretary shall cause to be printed upon the official ballot to be used in said city at the biennial state election in said year the following question: "Shall section fifty-eight B of chapter forty-eight of the General Laws, providing for a forty-eight hour week for permanent members of fire departments, be accepted?" If a majority of the votes cast on said question is in the affirmative, said section fifty-eight A of said chapter forty-eight shall take effect in said city ninety days thereafter.

SECTION 2. This act shall take effect upon its passage.

Approved June 5, 1946.

AN ACT RELATIVE TO ALTERATIONS OF CROSSINGS OF STATE
HIGHWAYS AND RAILROADS. Chap. 437

Be it enacted, etc., as follows:

SECTION 1. Section sixty-one of chapter one hundred and fifty-nine of the General Laws, as amended by section three of chapter three hundred and twenty-six of the acts of nineteen hundred and thirty-three, is hereby further amended by inserting after the word "highways" in the eighteenth line the words: — ; provided, that the parties in interest may waive the appointment of the commission and determine the foregoing by written agreement to be filed in the proceeding, — so as to read as follows: — *Section 61.* A commission of three disinterested persons, appointed as provided in the following section, shall determine which party shall carry such decision into effect and which party shall pay the charges and expenses of making such alteration and the future charges for keeping such bridge or crossing and the approaches thereto in repair, as well as the costs of the application to the county commissioners, or the department, and

G. L. (Ter.
Ed.), 159,
§ 61, etc.,
amended.

Award to be
made by
commission.

of the hearing before said commission; and it may apportion all such charges, expenses and costs between the railroad corporation, the railway company having tracks on said way, and the counties, cities or towns where said crossing is situated and other cities and towns which may be specially benefited; and if the crossing and its approaches are in direct continuation or a part of a state highway, the commonwealth may be included in such apportionment and its share shall be paid from the annual appropriation for maintenance and repair of state highways; provided, that the parties in interest may waive the appointment of the commission and determine the foregoing by written agreement to be filed in the proceeding. If a railway company is authorized to lay and use tracks upon any bridge in a highway built, repaired or altered as above provided for, or the approaches to which are altered or improved as above provided for, the said commission shall determine what part of the charges and expenses of making such changes or improvements, or of keeping such bridge or crossing and approaches in good condition, shall be paid by said railway company.

G. L. (Ter. Ed.), 159, § 62, etc., amended.

Commission, appointment of, etc.

SECTION 2. Section sixty-two of said chapter one hundred and fifty-nine, as amended by section four of said chapter three hundred and twenty-six, is hereby further amended by striking out, in the second line, the word "Upon" and inserting in place thereof the words: — Unless the parties in interest agree as provided in section sixty-one, upon, — so as to read as follows: — *Section 62.* Unless the parties in interest agree as provided in section sixty-one, upon application of the county commissioners, the department, the department of public works, the board of aldermen, the selectmen or the directors of the railroad corporation or of the railway company for the appointment of such commission, the superior court shall cause notice thereof to be given to the other parties interested fourteen days at least before the time fixed for the hearing; and thereupon, after hearing, shall appoint such commission, one member of which shall be a member of and designated by the department. The commission shall meet as soon as may be after its appointment, and, after notice to and a hearing of the parties, shall make a written award and return it to said court.

G. L. (Ter. Ed.), 159, § 63, amended.

Revision of award by jury.

SECTION 3. Section sixty-three of said chapter one hundred and fifty-nine, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "jury" in the sixth line the words: — , or upon agreement of the parties filed in said court, — so as to read as follows: — *Section 63.* A party aggrieved by said award may, within fourteen days after the return thereof, apply to the court for a jury to revise and determine any matter of fact found therein; and thereupon the court, after notice to all parties interested, shall order a trial by jury in the same manner as civil cases are tried by jury. The decree of the court upon said award or upon the verdict of a jury, or upon agreement of the parties filed in said court, shall be final and binding,

and said court may in equity enforce compliance therewith, and also issue and enforce such interlocutory decrees and orders as justice may require. *Approved June 5, 1946.*

AN ACT TO PROVIDE FOR FLEXIBLE OR ADJUSTABLE MORTGAGES OF REAL ESTATE. *Chap. 438*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and eighty-three of the General Laws is hereby amended by inserting after section twenty-eight, as appearing in the Tercentenary Edition, the following section:— *Section 28A.* Any sum or sums which shall be loaned by the mortgagee to the mortgagor at any time after the recording of any mortgage of real estate, to be expended for paying for repairs or replacements to, or for taxes or other municipal liens, charges or assessments on, the mortgaged premises, shall be equally secured with and have the same priority as the original indebtedness, to the extent that the aggregate amount outstanding at any one time when added to the balance due on the original indebtedness shall not exceed the amount originally secured by the mortgage. The provisions of this section shall apply to all forms of mortgages on real estate.

G. L. (Ter. Ed.), 183, new § 28A, added.

Flexible, etc., mortgages of real estate.

No action under this section shall affect the rights of the holder of any encumbrance which is subject to that of the mortgagee granting the accommodation and recorded prior to September first, nineteen hundred and forty-six unless his written assent shall be obtained, nor shall any such action affect the rights of an original borrower unless his written assent shall be obtained.

SECTION 2. Paragraph 7 of section sixty-three of chapter one hundred and seventy-five of the General Laws, as most recently amended by chapter one hundred and eighty-eight of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the following sentence:— Nothing in this paragraph shall be construed to prohibit the making of a loan under section twenty-eight A of chapter one hundred and eighty-three. *Approved June 5, 1946.*

G. L. (Ter. Ed.), 175, § 63, etc., amended.

Loan by insurance companies.

AN ACT EXTENDING TO RESIDENTS OF THE COMMONWEALTH WHO ARE MEMBERS OF THE ARMED FORCES OR VETERANS OF WORLD WAR II THE ADVANTAGES OF UNIVERSITY EXTENSION COURSES FREE OF CHARGE. *Chap. 439*

Be it enacted, etc., as follows:

SECTION 1. Chapter sixty-nine of the General Laws is hereby amended by inserting after section seven the following section:— *Section 7A.* In addition to the persons entitled to take university extension courses free of charge under section seven, the following persons shall be entitled to take such courses free of charge for a total period of not more than four years:—

G. L. (Ter. Ed.), 69, new § 7A, added.

University extension courses free to certain veterans, etc.

Residents of the commonwealth while serving in the military or naval forces of the United States and stationed in the commonwealth.

Residents of the commonwealth who shall have served for at least sixty days in said military or naval forces during World War II, and shall have received a discharge or release, other than a dishonorable one, from such service.

The commonwealth may accept and use such federal funds as may be available for the purposes of this section.

Repeal.

SECTION 2. Chapter three hundred and eighty-two of the acts of nineteen hundred and forty-five is hereby repealed, but said repeal shall not affect the right of any person who has been enrolled in any university extension course thereunder to complete such course free of charge.

Approved June 5, 1946.

Chap.440 AN ACT AUTHORIZING THE RENTING OF SPACE IN DORMITORIES OF STATE TEACHERS COLLEGES DURING THE CURRENT HOUSING SHORTAGE.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to relieve as soon as practicable the existing housing shortage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of education, in its discretion, may rent, upon such terms as it may prescribe, space in any dormitory of a state teachers college, only during the summer vacation, to relieve housing shortages in the respective communities where such dormitories are situated.

SECTION 2. This act shall continue in effect for one year after its effective date.

Approved June 6, 1946.

Chap.441 AN ACT PROVIDING FOR THE PREPARATION OF PLANS AND THE CONSTRUCTION OF A DAM ON THE MYSTIC RIVER IN THE CITIES OF SOMERVILLE AND EVERETT.

Be it enacted, etc., as follows:

SECTION 1. The emergency public works commission, established under section one of chapter three hundred and sixty-five of the acts of nineteen hundred and thirty-three, is hereby authorized and directed to prepare suitable plans and specifications for the construction of a dam, lock, drawbridge and works, equipment and appurtenances thereto across the Mystic river in the cities of Somerville and Everett, for the purpose of maintaining the water level in the Mystic and Malden rivers at a substantially permanent water level of not less than seven feet above Boston City Base, and for the dredging of navigable channels above said dam. In the preparation of such plans, said commission shall consider the subject matter of house document numbered four hundred of the year nineteen hundred and thirty-two and of house

document numbered two hundred and ninety-four of the year nineteen hundred and thirty-seven, and shall also consider the subject matter of current senate document numbered three hundred and thirty-one and of current house documents numbered two hundred and twenty, five hundred and seventy-five, seven hundred and ninety-eight, nine hundred and sixty-six, thirteen hundred and sixty-one and fifteen hundred and twenty-four, which provide for associated improvements relating to public health and the development of the Mystic valley for industrial and recreational purposes, and said commission shall consult and confer with the metropolitan district water supply commission, as enlarged and authorized under chapter seven hundred and five of the acts of nineteen hundred and forty-five to carry out sewerage and drainage projects in the metropolitan sewerage districts, the department of public health, the metropolitan district commission through its parks division and the municipal officials of Somerville, Everett, Medford, Malden, Arlington, Cambridge, Belmont and Winchester. Said emergency public works commission, with the approval of the governor, shall apply for and accept on behalf of the commonwealth any federal funds or federal assistance, or both, for financing the cost of such plans and specifications as are required for the purposes of this act. Said commission may expend for the preparation of such plans and specifications any unencumbered balance of funds made available to the commission for the preparation of plans and specifications under the provisions of section ten of chapter three hundred and seventy of the acts of nineteen hundred and forty-three. For the purposes aforesaid, the said commission may employ consulting engineers and consulting architects and such other engineering and other assistance as may be necessary and shall report its findings by filing the same with the clerk of the senate on or before the first Wednesday of December in the year nineteen hundred and forty-seven.

SECTION 2. The metropolitan district commission is hereby authorized to build, maintain and operate a dam across the Mystic river in the cities of Somerville and Everett in accordance with plans and specifications prepared and approved by the emergency public works commission under section one of this act.

SECTION 3. The metropolitan district commission shall dredge navigable channels and do other dredging or drainage above the dam in the Mystic and Malden rivers and any lands adjacent thereto, and shall remove the existing dam at Cradock bridge and the weirs and appurtenances thereto so far as necessary to leave an unobstructed passageway in the Mystic river and perform such other work as may be necessary in carrying out the purposes of this act.

SECTION 4. For the purposes of this act, the metropolitan district commission may take in the name of the commonwealth, in fee or otherwise, under chapter seventy-nine of the General Laws, or acquire by purchase, gift or otherwise, such lands, flats and lands covered by tide water or interests

therein as it may deem necessary or desirable, including territory within the locations of the Boston and Maine Railroad and the Boston and Albany Railroad, and may enter into agreements with said railroads and other corporations and persons so far as necessary or desirable for the carrying out of sections two and three of this act.

SECTION 5. Before undertaking any of the work authorized under said sections two and three, the metropolitan district commission shall obtain such permits and approvals as may be required by law from the United States war department and the state department of public works. In the construction of the works authorized, the metropolitan district commission may appoint and in its discretion remove such engineering and other assistants as it may deem necessary and may fix their compensation. Such appointments shall not be subject to classification under sections forty-five to fifty, inclusive, of chapter thirty of the General Laws, and chapter thirty-one of the General Laws and the rules and regulations made thereunder shall not apply to such engineers or other assistants; provided, that, upon request of the metropolitan district commission, the division of civil service shall hold special examinations of candidates for such offices and positions.

SECTION 6. The metropolitan district commission, when the work herein provided for has been completed, shall maintain, operate and control said dam, lock, drawbridge and works, equipment and appurtenances thereto, and control the Mystic and Malden rivers and their tributaries above said dam as a part of the metropolitan parks system. Said commission shall also exercise over said waters above said dam all powers and duties now conferred upon said commission by chapter ninety-two of the General Laws relative to the care, maintenance and control of the metropolitan parks system and the Charles River basin so far as applicable.

SECTION 7. To meet the cost of construction of the work authorized in said sections two and three, the commonwealth may accept and use any federal funds or any federal assistance, or both, provided therefor under any federal law, authority to make application therefor being hereby granted to said emergency public works commission, with the approval of the governor. In case federal funds or federal assistance are made available to the commonwealth for this construction work, the project, when approved by the governor, shall be carried out in all respects subject to the provisions of the appropriate federal law providing for construction of projects of this class, and the rules and regulations made pursuant thereto, and to such terms, conditions, rules and regulations, not inconsistent with such federal laws, rules and regulations, as said emergency public works commission may establish, with the approval of the governor, to insure the proper execution of said project.

SECTION 8. This act shall take effect upon its passage.

Approved June 6, 1946.

AN ACT RELATIVE TO THE MANAGEMENT AND OPERATION OF
THE BEDFORD AIRPORT UPON THE RETURN OF THE CON-
TROL THEREOF TO THE COMMONWEALTH. *Chap. 442*

Be it enacted, etc., as follows:

SECTION 1. Upon the return to the commonwealth of the control of the Bedford airport constructed under chapter two hundred and sixty-eight of the acts of nineteen hundred and forty-one, designated as the Laurence G. Hanscom Field and in this act called the Hanscom Field, said airport, including all air navigation facilities thereat, shall be maintained and operated by the Massachusetts aeronautics commission, in this act called the commission, and all future construction work at said airport shall be done by or under the direction of the commission.

SECTION 2. The commission, subject to the civil service laws and rules where they apply, may employ such persons as may be necessary to exercise and perform the powers and duties conferred and imposed upon it by this act.

SECTION 3. All existing contracts and obligations of the department of public works pertaining to the acquisition, construction, maintenance and operation of the Hanscom field shall remain in full force and effect but shall be performed by the commission.

SECTION 4. All maps, charts, plans, records and all other related documents in the possession of said department concerning the acquisition, construction, maintenance and operation of the Hanscom field shall, on the effective date of this act, be transferred and delivered to the commission.

SECTION 5. The Hanscom field shall be under the supervision of an airport manager appointed by the commission. Such manager shall be qualified by general management experience and aeronautical knowledge, shall be exempt from chapter thirty-one of the General Laws and shall receive such salary, not exceeding five thousand dollars, as the commission, with the approval of the governor and council, may fix. Such manager shall be responsible to the commission for the proper maintenance and operation of the Hanscom field and of all facilities thereat under his supervision.

SECTION 6. Prior to the return to the commonwealth of the control of the Hanscom field, the commission may, on behalf of the commonwealth, carry on such negotiations with federal government officials as may be necessary to effect such return.

SECTION 7. For the maintenance and operation of the Hanscom field, there may be expended such sums as may hereafter be appropriated therefor.

SECTION 8. Sections fourteen and fifteen of chapter six hundred and ninety-five of the acts of nineteen hundred and forty-one shall not apply to the maintenance and operation of the Hanscom field.

SECTION 9. This act shall take effect upon its passage.

Approved June 6, 1946.

Chap.443 AN ACT VALIDATING CERTAIN ACTS AND PROCEEDINGS OF
THE SEEKONK WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the Seekonk water district at its meeting held on the fifteenth day of April, nineteen hundred and forty-six, and all acts and proceedings of the said district and of its officers done in pursuance thereof, and elections held at the said meeting, are hereby confirmed and made valid to the same extent as if the said meeting and elections had been called, and held and conducted, in strict compliance with law.

SECTION 2. This act shall take effect upon its passage.

Approved June 6, 1946.

Chap.444 AN ACT AUTHORIZING THE COMMISSIONER OF CONSERVATION
TO PURCHASE CERTAIN PROPERTY IN THE TOWN OF NORTH
ATTELBOROUGH AND TO CONVEY THE SAME TO THE UNITED
STATES FOR FISH HATCHERY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of conservation is hereby authorized to purchase, at a total cost not exceeding thirty thousand dollars, to be met from so much of the appropriation made by item 3304-49 of section two of chapter three hundred and nine of the acts of the current year as may be available therefor, approximately three hundred acres of land, and buildings thereon, located in the town of North Attleborough as shown on a plan on file in the office of said commissioner, dated January, nineteen hundred and forty-six, and entitled "Preliminary Plan of the North Attleborough Portion of the Bungay River Project under the Auspices of the Commonwealth of Massachusetts — Department of Conservation — Division of Fisheries and Game in Co-operation with the United States Department of the Interior — Fish and Wildlife Service." Said commissioner is hereby further authorized to convey the property so purchased, by an instrument or instruments in form approved by the attorney general, either for actual or nominal consideration, to the federal government; provided, that said commissioner, acting in the name and on behalf of the commonwealth, enters into such an agreement with said federal government as will ensure that said government will use and maintain said property for fish hatchery purposes.

SECTION 2. This act shall take effect upon its passage.

Approved June 6, 1946.

AN ACT RELATIVE TO THE DISPOSITION OF MONEY HELD FOR
THE PAYMENT OF UNCLAIMED WINNINGS UPON WAGERS
MADE AT HORSE AND DOG RACING MEETINGS. *Chap. 445*

Whereas, The deferred operation of this act would tend to defeat one of its principal purposes, which is the immediate establishment of the rights of certain persons making wagers at horse and dog racing meetings who fail to claim their winnings, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-eight A of the General Laws, inserted by section three of chapter three hundred and seventy-four of the acts of nineteen hundred and thirty-four, is hereby amended by inserting after section five the following section:— *Section 5A*. No action to recover winnings upon a wager made under this chapter after the effective date of this section shall be commenced after December thirty-first of the year following the year in which such wager was made, and no such winnings shall be paid by a licensee after said date except pursuant to a judgment in an action so commenced or in settlement of such action. Within ninety days after said December thirty-first, money held by a licensee for the payment of any such wager for the recovery of which no action has been commenced within the time herein limited shall be paid over to and become a part of the receipts of the commission, and shall thereafter be paid into the state treasury. Any such money for the recovery of which an action has been duly commenced shall be so paid to the commission within ninety days after December thirty-first of the year in which such action shall have terminated adversely to the plaintiff therein. A notice of the limitation prescribed by this section, in such form as the commission shall prescribe, shall be posted by each licensee in a conspicuous place at each window or booth where pari-mutuel tickets are sold.

G. L. (Ter.
Ed.), 128A,
new § 5A,
added.

Unclaimed
winnings at
horse and dog
racing meet-
ings, disposi-
tion of.

SECTION 2. This act shall take effect on July first in the current year.

Effective date.

Approved June 6, 1946.

AN ACT FURTHER PROVIDING FOR SEWAGE DISPOSAL NEEDS
OF THE NORTH AND SOUTH METROPOLITAN SEWERAGE DIS-
TRICTS AND COMMUNITIES WHICH NOW OR HEREAFTER MAY
BE INCLUDED IN SAID DISTRICTS. *Chap. 446*

Whereas, The deferred operation of this act would, in part, defeat its purpose, which is to provide for sewage disposal needs in the north and south metropolitan sewerage districts with the utmost expedition, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district water supply commission, as enlarged by chapter seven hundred and five of the acts of nineteen hundred and forty-five, for the purpose of carrying out the construction of project 3 of section one of said chapter, the completion of project 1 of said section one of said chapter, and the investigations, borings, designs, plans and specifications only of the sewage treatment plant and appurtenant works of the north metropolitan sewerage district at Deer Island, a part of project 2 of said section one of said chapter, may expend, from the aggregate of fifteen million dollars, provided for in section one of said chapter, the balance of the four million four hundred and fifty thousand dollars appropriated in said section one remaining unexpended on June thirtieth, nineteen hundred and forty-six, plus sums not exceeding one million five hundred thousand dollars.

SECTION 2. From said one million five hundred thousand dollars, the commission is hereby authorized to expend not exceeding two hundred thousand dollars for the investigations, borings, designs, plans and specifications only of the proposed Deer Island sewage treatment plant and appurtenant works, if any, this amount being in addition to the four per cent authorized for the making of borings and surveys and the preparing of plans and specifications for each of the projects as provided in section seven of said chapter seven hundred and five, inasmuch as the construction cost of the Deer Island plant and appurtenant works, if any, was not included in the fifteen million dollar aggregate authorized in section one of said chapter.

Approved June 6, 1946.

Chap. 447 AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE DIRECTOR OF THE MASSACHUSETTS AGRICULTURAL EXPERIMENT STATION AND THE DIRECTOR OF MILK CONTROL.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 94, § 29A, etc., amended.

Milk-fat content of milk or cream.

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out section twenty-nine A, as amended by chapter two hundred and fifty-three of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following section: — *Section 29A.* The director shall, after reasonable notice and a hearing, and with the approval of the governor and council, prescribe, and may from time to time in like manner modify or amend, rules and regulations to govern the methods and frequency of making tests for determining the composition or milk-fat content of milk or cream as a basis for payment in buying or selling. The director or his inspectors and deputies may, and the director of milk control, his inspectors and deputies shall, enter upon any premises where samples of milk or cream are taken, stored or tested as a basis for payment in buying or selling, in order to determine whether rules and regulations made hereunder are being observed.

SECTION 2. Said chapter ninety-four is hereby further amended by striking out section thirty, as amended by said chapter two hundred and fifty-three, and inserting in place thereof the following section:— *Section 30.* The director shall enforce sections twenty-five to thirty-one, inclusive, and the rules and regulations made thereunder, and may prosecute or cause to be prosecuted any person violating any provision of said sections or of said rules and regulations, and the director of milk control or his designated assistant shall have concurrent authority with the director in prosecuting, or causing to be prosecuted, any person violating any provision of the rules and regulations established under section twenty-nine A. Sections twenty-five to thirty-one, inclusive, and the rules and regulations made thereunder, shall not affect any person using any centrifugal or other machine or test to determine the composition or milk-fat content of milk or cream if such use or test is made for the information of such person only, and not for purposes of inspection or as a basis for payment in buying or selling.

G. L. (Ter. Ed.), 94, § 30, etc., amended.

Director to enforce certain sections.

SECTION 3. Said chapter ninety-four is hereby further amended by striking out section thirty-one, as amended by said chapter two hundred and fifty-three, and inserting in place thereof the following section:— *Section 31.* Whoever hinders or obstructs the director or the director of milk control, or any inspector or deputy of either said director or said director of milk control, in the discharge of any authority or duty imposed upon him by any provision of sections twenty-five to thirty, inclusive, whoever violates any provision of said sections, and whoever knowingly violates any provision of the rules and regulations made thereunder, shall be punished by a fine of not less than fifteen nor more than fifty dollars.

G. L. (Ter. Ed.), 94, § 31, etc., amended.

Penalty for interfering with director, etc.

Approved June 6, 1946.

AN ACT REGULATING APPEALS TO THE SUPERIOR COURT
AT THE TIME OF COMMITMENT OF CERTAIN NEGLECTED
CHILDREN.

Chap. 448

Be it enacted, etc., as follows:

SECTION 1. Section forty-seven of chapter one hundred and nineteen of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "held" in the fourth line the following:— and also may appeal to said court at the time of the order of commitment in which event the entire case shall be before said court as if originally commenced therein,— and by inserting after the word "appeal" in the thirteenth line the words:— at the time of adjudication and also at the time of commitment,— so as to read as follows:— *Section 47.* The child, parent, guardian or person appearing in behalf of such child, or the department, may appeal from the adjudication of the court to the superior court sitting for civil business for the county where the hearing is held and also may appeal to said court at the time of the order

G. L. (Ter. Ed.), 119, § 47, amended.

Appeal from adjudication.

of commitment in which event the entire case shall be before said court as if originally commenced therein; and if said parent, guardian or other person appearing on behalf of the child fails to furnish the bail required by the court before which such hearing is held, the child may be committed to the custody of the department or placed in the care of some suitable person or charitable corporation, pending determination of the appeal. Such appeal shall be entered in the superior court by the court from which the appeal is taken, without payment of an entry fee, and the superior court may advance such complaint for speedy trial. The court shall notify the child, parent, guardian or person appearing in behalf of such child of the right of appeal at the time of adjudication and also at the time of commitment.

Effective
date.

SECTION 2. This act shall take effect on October first in the current year.

Approved June 6, 1946.

Chap.449 AN ACT PROVIDING FOR THE DREDGING BY THE PORT OF BOSTON AUTHORITY OF A MOORING BASIN IN TOWN RIVER IN THE CITY OF QUINCY.

Be it enacted, etc., as follows:

The Port of Boston Authority is hereby authorized and directed to dredge, to a depth of ten feet at mean low water, a mooring basin in the Town river in the city of Quincy within an area bounded and described as follows:—

Beginning at bench mark "E-12" at Town River Yacht Club, thence running northerly of the channel eight hundred and eighty feet to mark "E-5" at Quincy Adams Yacht Yard, thence running easterly to mark "E-14" for a distance of twenty-five hundred feet, and thence running southerly to mark "E-17" at Quincy Point, eighteen hundred and forty feet to the northerly edge of the present channel, which area is shown on a plan entitled "Town River, Mass. — Soundings after Dredging — U. S. Engineer Office, Boston, Mass. — File No. 142 — DR. 18 — March 17, 1941."

For said purposes, said authority may expend sums, not exceeding, in the aggregate, thirty thousand dollars, of which amount one half shall be paid by the commonwealth, subject to appropriation, and one half shall be contributed by the city of Quincy.

Approved June 6, 1946.

Chap.450 AN ACT RELATIVE TO THE ADMISSION OF MATERIAL FACTS AND PAPERS AND DOCUMENTS.

Be it enacted, etc., as follows:

Chapter two hundred and thirty-one of the General Laws is hereby amended by striking out section sixty-nine, as amended by section one of chapter one hundred and seventy-seven of the acts of nineteen hundred and thirty-two, and

G. L. (Ter.
Ed.), 231,
§ 69, etc.,
amended.

inserting in place thereof the following section:— *Section 69.* In any action at law or suit in equity a party by written demand filed in the clerk's office and notice given by copy thereof by registered mail, return receipt requested, to the other party or his attorney, not less than ten days before the trial of the action or suit, may call upon the other party to admit, for the purposes of the case only, any material fact or facts or the execution of any material paper or document which the party filing the demand intends to use at the trial. Copies of the papers or documents shall be delivered with the demand unless copies have already been furnished. An affidavit of such notice and the return receipt, if any, shall forthwith be filed in the clerk's office. The court may delay the trial until such demand is answered and on motion before trial may strike out of such demand or any answer filed in response thereto any matter which is irrelevant, immaterial or improperly included therein. After the filing of said affidavit of notice, each of the matters of which an admission is demanded shall be deemed admitted unless within ten days after mailing the demand, or within such further time as the court may allow on motion and notice, the party to whom the demand is directed files in the clerk's office a sworn statement either denying specifically the matters of which an admission is demanded or setting forth in detail the reasons why he cannot truthfully either admit or deny those matters. Any admission made by a party by answering or not answering such demand is for the purpose of the pending proceeding only and neither constitutes an admission by him for any other purpose nor may be used against him in any other proceeding, but said admission shall be binding upon him in the pending proceeding unless he is relieved therefrom by the court for cause shown. If the party upon whom such demand is made refuses to admit any fact or the execution of any paper or document mentioned in the demand, the reasonable expense of proving such fact or the execution of such paper or document, as determined after summary hearing by the justice presiding at the trial, shall, unless the justice certifies that the refusal to admit was reasonable, be paid by said party to the other party and the amount thereof shall be added to the taxable costs of the party in whose favor such amount is awarded or deducted from the amount of any judgment or decree against him.

Admission of material facts, etc., in certain actions.

Approved June 6, 1946.

AN ACT PROVIDING FOR THE CONSTRUCTION OF A NEW BRIDGE OR THE WIDENING OF THE EXISTING BRIDGE OVER THE NEPONSET RIVER AT THE BOSTON-MILTON BOUNDARY LINE IN THE MATTAPAN DISTRICT OF THE CITY OF BOSTON.

Chap. 451

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to construct a new bridge, or to widen the

existing bridge, on Blue Hill avenue, over the Neponset river at the Boston-Milton boundary line in the Mattapan district of the city of Boston for the purpose of eliminating hazardous traffic conditions in said area. The cost of the work authorized by this act shall be paid by said commission from the appropriation made by item 2931-04 of section two of chapter three hundred and nine of the acts of the current year.

Approved June 6, 1946.

Chap. 452 AN ACT PROVIDING FOR THE ALTERATION AND ENLARGEMENT OF THE JOHN A. HAVEY MEMORIAL BEACH.

Be it enacted, etc., as follows:

Chapter six hundred and eighty-eight of the acts of nineteen hundred and forty-five is hereby amended by striking out section three and inserting in place thereof the following section:—*Section 3.* The cost of land takings, the alteration and enlargement of the beach, the construction of the shelter and all other expenses incurred in carrying out the provisions of this act shall not exceed, in the aggregate, thirty thousand dollars.

Approved June 6, 1946.

Chap. 453 AN ACT ESTABLISHING THE SALARY OF THE JUSTICE OF THE MUNICIPAL COURT OF THE SOUTH BOSTON DISTRICT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 218, § 76, etc., amended.

Section seventy-six of chapter two hundred and eighteen of the General Laws, as most recently amended by section one of chapter four hundred and seventy-six of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "justice" the second time it appears in the fifth line the words:— of the municipal court of the South Boston district shall be fifty-six hundred dollars, the salary of the justice,— and by striking out, in the eighth and ninth lines, the words "and of the justice of the municipal court of the South Boston district",— so as to read as follows:—*Section 76.* The salary of the justice of the Boston juvenile court shall be five thousand dollars, and that of the clerk of said court an amount equal to seventy-five per cent of the salary of the justice. The salary of the justice of the municipal court of the South Boston district shall be fifty-six hundred dollars, the salary of the justice of the municipal court of the Brighton district shall be fifty-six hundred dollars and the salary of the justice of the municipal court of the Charlestown district shall be forty-five hundred dollars. The salaries of the justices of the following district courts shall severally be as follows: First district court of Barnstable, twenty-seven hundred dollars; second district court of Essex, twenty-four hundred dollars; second district court of Plymouth, thirty-two hundred dollars; third district court of Plymouth, twenty-five hun-

Salary of the justices of certain district courts.

dred dollars; fourth district court of Plymouth, twenty-five hundred dollars; district court of Peabody, three thousand dollars; district court of eastern Hampshire, twenty-one hundred dollars.

Approved June 6, 1946.

AN ACT PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE BY THE METROPOLITAN DISTRICT COMMISSION OF A PLAYGROUND IN THE FANEUIL SECTION OF THE CITY OF BOSTON. Chap.454

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to expend the sum of twenty-five thousand dollars from the Charles River Basin Improvement Fund, so called, to construct a playground in that portion of vacant metropolitan district commission property in the Faneuil section of ward twenty-two of the city of Boston bounded on the east by Brooks street, on the south by the Leo Birmingham parkway, on the west by the Newton-Brighton boundary line and on the north by the Charles river.

Approved June 6, 1946.

AN ACT PROVIDING THAT CERTAIN UNCLAIMED FUNDS HELD BY DOMESTIC LIFE INSURANCE COMPANIES BE PAID INTO THE STATE TREASURY. Chap.455

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and forty-nine the following four new sections:—
Section 149A. "Unclaimed funds" within the meaning of this and sections one hundred and forty-nine B to one hundred and forty-nine D, inclusive, shall mean and include (a) all amounts of ten dollars or more held by any domestic life insurance company which have remained unclaimed for a period of seven years or more by the person or persons to whom such amounts are payable under matured life insurance policies on the endowment plan issued on the lives of residents of this commonwealth; and (b) all amounts of ten dollars or more held by any domestic life company which are payable under other kinds of life insurance policies issued on the lives of residents of this commonwealth where the insured, if living, would, prior to the thirty-first day of December next preceding the report required by section one hundred and forty-nine B, have attained the limiting age under the mortality table on which the reserves are based, exclusive of any amounts payable under (1) any policy which has within seven years been assigned, readjusted, kept in force by payment of premium, reinstated or subjected to loan or (2) any policy with respect to which the insurer has received written evidence within seven years that the person

G. L. (Ter. Ed.), 175, new §§ 149A, 149B, 149C and 149D, added.
 "Unclaimed funds", term defined.

or persons to whom the amounts are payable thereunder as a death benefit have knowledge thereof; and (c) all amounts of ten dollars or more held by any domestic life company due to beneficiaries who are residents of this commonwealth under policies issued on the lives of residents of this commonwealth who have died, which amounts have remained unclaimed by the person or persons to whom such amounts are payable for a period of seven years. For the purposes of this section a policy shall be deemed to have been issued on the life of a resident of this commonwealth if the address of the applicant given in the application for such policy was at the date of such application an address within the commonwealth.

Report to
commissioner.

Section 149B. In addition to all other reports required by law, every domestic life company shall, on or before the first day of April of each year, make a report in writing to the commissioner of all unclaimed funds as defined in section one hundred and forty-nine A held or owing by it on the thirty-first day of December next preceding. Such report shall be signed and sworn to by an officer of such insurer and shall set forth with respect to each policy under which such unclaimed funds are due, owing and payable (1) in alphabetical order, the full name of the insured, his last post office address, his policy number and his policy age; (2) the amount of unclaimed funds due, owing and payable under the policy; (3) the full name of each beneficiary named in the policy or appearing in the records of the insurer and the last known address of such beneficiary; and (4) the date on which such unclaimed funds became payable.

Payment
to state
treasurer.

Section 149C. On or before the first day of September in each year, each domestic life company shall pay over to the state treasurer all unclaimed funds set forth in the report required by section one hundred and forty-nine B, excepting any funds which since the date of such report have ceased to be unclaimed. Each such payment shall be accompanied by a duplicate of the report made under section one hundred and forty-nine B, together with a statement with respect to any funds which since the date of such report have ceased to be unclaimed.

Commonwealth
to assume
certain obli-
gations in
respect to.

Section 149D. Upon the payment of such unclaimed funds to the state treasurer, the commonwealth shall assume, for the benefit of those entitled to receive the same and for the safety of the moneys so paid, the custody of such unclaimed funds, and the insurer making such payment shall immediately and thereafter be relieved of and held harmless by the commonwealth from any and all liability for any claim or claims which exist at such time with reference to such unclaimed funds or which may thereafter be made or may come into existence on account of or in respect to any such unclaimed funds. All money paid into the state treasury, except such as may be necessary to carry out the provisions of this and the three preceding sections, shall, together with other moneys made available, constitute a fund

for the purposes of assisting and rehabilitating veterans of World War II and, subject to subsequent appropriation, said fund shall be used for any such purpose.

Approved June 6, 1946.

AN ACT AUTHORIZING THE ESTABLISHMENT OF THE MALDEN STADIUM AND ATHLETIC FIELD COMMISSION, AND DEFINING ITS POWERS AND DUTIES. Chap. 456

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the city of Malden a commission to be known as the Malden Stadium and Athletic Field Commission, which shall consist of the mayor, the superintendent of schools, the principal of the high school, the faculty manager of athletics, the superintendent of parks, and two persons to be appointed by the mayor. In the making of initial appointments of the appointive members hereunder, one shall be appointed for the term of one year and one shall be appointed for the term of two years. Upon the expiration of the term of an appointive member, his successor shall be appointed for a term of two years.

SECTION 2. Said commission, on behalf of said city, may, with the approval of the mayor and city council of said city, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, all the land and other property of the Malden High School Field Corporation, or any other property, and may construct buildings and structures on said land and provide proper equipment therefor; and may hold, manage, control, lease or let the same for the purpose of school and civic athletics, recreation, play, sports and physical education and may charge admission to the same.

SECTION 3. For the purposes aforesaid, so far as they relate to the acquiring of property, the construction of buildings and structures, and the proper equipment of the same, the city of Malden may from time to time within five years from the effective date of this act borrow such sums as may be necessary, not exceeding, in the aggregate, one hundred and seventy-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Malden Stadium Loan Act of 1946. Each authorized issue shall constitute a separate loan and such loan shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the requirement contained in the first paragraph of section seven thereof.

SECTION 4. All revenue received by the commission from said land, buildings and other structures shall be paid into the city treasury and shall be used as an estimated receipt by the city. All bills with respect to said land, buildings and

structures incurred by the commission shall be paid out by the city treasurer for the purposes aforesaid only upon orders approved by the commission and the city auditor. Any such order and any contract which involves the expenditure of more than five hundred dollars shall, in order to be valid, require the written approval of the mayor.

SECTION 5. The city council may appropriate such amounts as the mayor may recommend or approve to be expended by the commission for the care and repair of said land, buildings and structures, for the equipment and improvement of the grounds, the construction and enlargement of buildings and other structures, and the support and encouragement of school athletics.

SECTION 6. The commission shall annually on or before the fifteenth day of December file with the city clerk an itemized and detailed statement of any revenue received from, and all expenditures made for, said athletic field and the buildings and other structures thereon for the year ending November thirtieth preceding.

SECTION 7. Said Malden High School Field Corporation is hereby authorized to convey the land, buildings and all other property now owned by it to said city of Malden.

SECTION 8. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city of Malden, but not otherwise.

Approved June 6, 1946.

Chap.457 AN ACT PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE BY THE DEPARTMENT OF PUBLIC WELFARE OF BRANCH OFFICES THROUGHOUT THE COMMONWEALTH WITH FACILITIES THEREAT FOR THE RECEPTION OF CHILDREN PLACED IN THE CUSTODY OF THE DIVISION OF CHILD GUARDIANSHIP.

Be it enacted, etc., as follows:

The department of public welfare is hereby authorized and directed to establish and maintain, subject to appropriation, at such localities throughout the commonwealth as it may determine branch offices with adequate facilities thereat for the reception of children placed in the custody of the division of child guardianship of said department.

Approved June 6, 1946.

Chap.458 AN ACT PROVIDING FOR THE PROTECTION OF THE SHORE IN THE REVERE BEACH AREA FROM EROSION BY THE SEA.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to construct a sea wall along the shore in the Revere Beach area from the Northern circle, so called, to the General Edwards bridge, for the purpose of protecting said

shore from erosion by the sea. For said purpose, said commission may expend sums, not exceeding, in the aggregate, twenty thousand dollars, of which amount one half shall be paid by said commission subject to appropriation, and one half shall be contributed by the city of Revere.

Approved June 6, 1946.

AN ACT PROVIDING FOR THE ISSUANCE BY THE COMMONWEALTH TO CERTAIN PERSONS, WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES DURING WORLD WAR II, OF CITATIONS OR CERTIFICATES AS TO SUCH SERVICE. Chap. 459

Be it enacted, etc., as follows:

In recognition of and as a mark of appreciation for services rendered in the armed forces of the United States during World War II, the adjutant general, subject to appropriation and in co-operation with the state treasurer, shall cause to be issued and delivered to each person entitled to the benefits of section one of chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five a citation or certificate setting forth the name of such person and the fact that he so served and bearing thereon a facsimile signature of the governor as commander-in-chief of the military and naval forces of the commonwealth and a facsimile signature of the adjutant general in attestation thereto. The cost of carrying out the provisions of this act shall be paid from revenues received under chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, as amended.

Approved June 6, 1946.

AN ACT RELATIVE TO INSURANCE POLICIES HELD BY APPLICANTS FOR OLD AGE ASSISTANCE. Chap. 460

Be it enacted, etc., as follows:

Chapter one hundred and eighteen A of the General Laws is hereby amended by striking out section five, as most recently amended by section six of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section: —

Section 5. The ownership of a policy of life insurance of the type known as group insurance, for which the weekly premium does not exceed fifty cents per week, or of a policy or policies of life insurance having a total cash surrender value not in excess of five hundred dollars, shall not disqualify an applicant from receiving assistance under this chapter; provided, that if the total cash surrender value of a policy or policies of life insurance owned by him exceeds five hundred dollars and such policy or policies are assignable, the applicant shall not be disqualified if a proper assignment thereof is made to the town, in the amount by which such total cash surrender value exceeds five hundred dollars, for repayment to such town of the actual amount of

G. L. (Ter. Ed.), 118A, § 5, etc., amended.

Insurance policy not to disqualify applicant.

assistance given under the provisions of this chapter, without interest. The words "policy of insurance", as used in this section, shall include a benefit certificate having a cash surrender value if such certificate is assignable.

Approved June 6, 1946.

Chap. 461 AN ACT RELATIVE TO THE SYSTEM OF COMPENSATION FOR INMATES OF CERTAIN STATE PENAL INSTITUTIONS IN CONNECTION WITH PRISON INDUSTRIES AND PROVIDING FOR THE DISPOSITION OF SURPLUS RECEIPTS THEREFROM.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 127, § 48A, amended.

Compensation of inmates in certain institutions.

SECTION 1. Chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out section forty-eight A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 48A.* The commissioner may establish a system of compensation for inmates at the state penal institutions wherein an industrial program is established to be paid out of the profits from industries in any or all such institutions. The comptroller shall determine the methods of computation of profits arising out of the manufacture of prison products and, upon the recommendation of the warden or superintendent, the commissioner shall establish a graduated scale of compensation to be paid inmates in accordance with their skill and industry, and the commissioner shall establish, and may at any time amend or annul, rules and regulations for carrying out the purposes of this section; provided, that compensation shall be paid to inmates only when and if the comptroller is of the opinion that profits from prison industries are such that compensation should be paid. No money shall be paid directly to any inmate during the term of his imprisonment.

The warden or superintendent, as trustee, may pay monthly, or at other periods determined by said rules and regulations, one half of the money so earned by any inmate to his dependents, if any, directly or through the board of public welfare of the city or town chargeable or likely to become chargeable for the support of such dependents; and, if such money is paid over directly to such dependents, notice shall be sent by the warden or superintendent of the institution to the board of public welfare of such city or town. An amount not exceeding twenty-five per cent of the money so earned within any period may be expended on behalf of the inmate for articles for his own use, the same to be purchased with the approval of the warden or superintendent of the institution. The remainder of the moneys so earned, after deducting amounts paid over to or for the benefit of his dependents, if any, and amounts expended on his behalf as aforesaid, shall be accumulated to the credit of the inmate and shall be deposited by the warden or superintendent, as trustee, in a bank approved by the state treasurer and paid

to the inmate upon his release from such institution in such instalments and at such times as may be prescribed in such rules or regulations.

Notwithstanding the provisions of sections fifty-nine and seventy, the comptroller shall determine the amounts to be expended from the prison industry funds for the rearrangement or enlargement of shops and providing storage room needed for the manufacturing of prison goods in an established industry.

SECTION 2. Said chapter one hundred and twenty-seven is hereby further amended by striking out section seventy-one, as most recently amended by section seventeen of chapter three hundred and forty-four of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section: — *Section 71.* At least once in each month the receipts from the labor of prisoners in the state prison, the Massachusetts reformatory, the reformatory for women, the state prison colony and the state farm shall be paid to the commonwealth, and the receipts from the labor of prisoners in a jail or house of correction to the county, and so much thereof as is necessary to pay the expenses of maintaining the industries in said institutions shall be expended from the state or county treasury for that purpose, but not until schedules of such expenses have been sworn to by the warden or superintendent and approved by the commissioner. Whenever, in the opinion of the comptroller, the accumulated funds in the state treasury from the receipts from the labor of prisoners in the state prison, the Massachusetts reformatory, the reformatory for women, the state prison colony and the state farm exceed the sums necessary to pay the expense of maintaining the industries by which they were produced, the comptroller shall direct that the surplus be transferred from these accounts into the general fund or ordinary revenue of the commonwealth. Whenever in the opinion of the master or keeper of a jail or house of correction and the county commissioners and county treasurer, the accumulated funds in the county treasury from the receipts from the labor of prisoners in jails and houses of correction exceed the sums necessary to pay the expenses of maintaining the industries by which they were produced, the master or keeper of a jail or house of correction and the county commissioners and county treasurer shall direct that the surplus shall be transferred into the general revenue of the county. Receipts from any of the institutions shall be applied to paying the expenses of the industries in that institution only, except that the combined net receipts accruing from the industries established at the state prison, the Massachusetts reformatory, the reformatory for women, the state prison colony and the state farm may be used, with the approval of the comptroller, to make payments of compensation as provided in section forty-eight A.

G. L. (Ter. Ed.), 127, § 71, etc., amended.

Accounting for and disposition of receipts.

The warden or superintendent of the state prison, the Massachusetts reformatory, the reformatory for women,

the state prison colony and the state farm shall, as often as he has in his possession money to the amount of ten thousand dollars which he has received under the provisions of sections fifty-three to sixty-seven, inclusive, pay it to the commonwealth; and the master or keeper of a jail or house of correction shall, as often as he has in his possession such money to the amount of five thousand dollars, pay it into the county treasury.

Approved June 6, 1946.

Chap. 462 AN ACT RELATIVE TO THE DISPOSAL OF DOMESTIC SEWAGE FROM THE JEWISH TUBERCULOSIS SANATORIUM OF NEW ENGLAND THROUGH THE SEWERAGE SYSTEM NOW USED BY THE MIDDLESEX COUNTY TUBERCULOSIS HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county of Middlesex, with the approval of the department of mental health and the department of public health and the city of Waltham acting through its mayor and city council, is hereby authorized to permit the Jewish Tuberculosis Sanatorium of New England, a Massachusetts charitable corporation duly organized under the provisions of chapter one hundred and eighty of the General Laws, to discharge domestic sewage from land on Trapelo road in the city of Waltham, into the sewer constructed by said city under the provisions of chapter three hundred and seventy-two of the acts of nineteen hundred and twenty-eight, as amended by chapter three hundred and seventy-three of the acts of nineteen hundred and twenty-nine, at such point as may be agreed upon by the county commissioners of said county and the commissioner of mental health, or, in case of failure to agree, as may be determined by the governor and council; provided, that the department of public health determines that all sewers through which such additional domestic sewage will pass are adequate to receive the same.

SECTION 2. The yearly charge for such privilege shall be paid to the county of Middlesex in such sum as may be agreed upon between said commissioners and said corporation and, if said amount cannot be agreed upon, the amount shall be determined by the county commissioners of said county and the commissioner of public health, acting for the commonwealth.

SECTION 3. The county commissioners of the county of Middlesex are hereby authorized to make such provision as they deem necessary to safeguard the interest of all parties.

Approved June 6, 1946.

AN ACT AUTHORIZING THE TRUSTEES FOR THE DIOCESE OF WESTERN MASSACHUSETTS TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE. Chap. 463

Be it enacted, etc., as follows:

Trustees for the Diocese of Western Massachusetts, a charitable corporation incorporated under chapter one hundred and fifty-six of the acts of nineteen hundred and two, is hereby authorized to receive by gift, devise, bequest or otherwise, and to hold and use for the purposes for which said corporation was incorporated, real and personal estate to an amount not exceeding eight million dollars.

Approved June 6, 1946.

AN ACT PROVIDING FOR THE DISPOSITION OF CERTAIN STATE-OWNED UNIFORMS FORMERLY USED BY THE MASSACHUSETTS STATE GUARD. Chap. 464

Be it enacted, etc., as follows:

The adjutant general is hereby authorized to deliver to the state purchasing agent the state-owned green-colored uniforms formerly used by the state guard, and said purchasing agent is hereby authorized to distribute such uniforms among state institutions for such uses thereat as he may prescribe.

Approved June 6, 1946.

AN ACT PROVIDING FOR THE BUILDING OF A COMBINATION LAVATORY AND BANDSTAND AT LYNN BEACH. Chap. 465

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to build a combination lavatory and bandstand at Lynn beach on the shore side opposite the existing state bathhouse in the Lynn-Nahant beach area. For said purpose said commission may expend such sum as may hereafter be appropriated therefor.

Approved June 6, 1946.

AN ACT RELATIVE TO THE PUBLICATION AND DISTRIBUTION OF BOOKS CONTAINING PORTRAITS AND BIOGRAPHICAL SKETCHES OF MEMBERS OF THE GENERAL COURT AND OTHER STATE OFFICERS, AND OTHER MATTERS OF PUBLIC INTEREST. Chap. 466

Be it enacted, etc., as follows:

Section eighteen of chapter five of the General Laws, as most recently amended by chapter three hundred and thirteen of the acts of nineteen hundred and forty-three, is hereby further amended by striking out, in the sixth line, the word "four" and inserting in place thereof the word: — five, — so as to read as follows: — *Section 18.* The clerks of the two branches shall, in every odd-numbered year, prepare a book containing portraits and biographical sketches of members of the general court and other state officers, lists

G. L. (Ter. Ed.), 5, § 18, etc., amended.

Publication of, etc., books containing portraits of members of general court.

of committees and such other information as may be deemed pertinent, of which not more than five hundred copies shall be printed under the direction of said clerks, for the use of the general court. The clerks shall furnish one such copy to each member of the general court and shall distribute the other copies as the committees on rules of the senate and house of representatives may direct.

In addition to the copies of such book printed under authority of the foregoing provisions of this section, there shall be printed such additional copies thereof as said clerks may from time to time determine. Such additional copies shall be delivered to the state secretary, who shall place the same on public sale at a price not less than the cost thereof, as determined by said committees on rules.

Approved June 6, 1946.

Chap. 467 AN ACT RELATIVE TO THE ISSUE AND RENEWAL OF CERTIFICATES OF REGISTRATION FOR DAIRY FARMS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 94, § 16C, etc., amended.

Fees for certificates of registration for dairy farms.

Chapter ninety-four of the General Laws is hereby amended by striking out section sixteen C, as amended by chapter three hundred and seventy-four of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section:— *Section 16C.* The director may issue, and may from time to time renew, certificates of registration for dairy farms. No certificate of registration for a dairy farm shall be issued or renewed by the director, except as hereinafter provided, until he has made or caused to be made at least one inspection of said farm within one year prior thereto, and unless said inspection clearly indicates a satisfactory compliance with the uniform minimum requirements for dairy farm inspection established under section forty-two of chapter six. The director may accept the inspection reports of milk inspectors within the commonwealth in respect to dairy farms located within or without the commonwealth which have been inspected by them, and, if such reports state that such dairy farms have complied with said minimum requirements, certificates of registration may thereupon issue. Each dairy farm registered by the director shall receive without cost a numbered certificate of registration, which shall, while in effect, be posted in a conspicuous place at all times on said farm. Each certificate of registration of a dairy farm located in the commonwealth shall expire on the following June thirtieth, and each certificate of registration of a dairy farm located outside the commonwealth shall expire on such date as the board shall determine, but not within one year from its date of issue. Annual applications for renewal of certificates shall be made not less than thirty days prior to the expiration date on forms furnished by the director. If a certificate of registration is lost, duplicate copies may be obtained from the director at a cost of fifty cents each.

Approved June 6, 1946.

AN ACT RELATIVE TO THE POWERS OF THE MASSACHUSETTS CHARITABLE MECHANIC ASSOCIATION. *Chap. 468*

Be it enacted, etc., as follows:

SECTION 1. Chapter seventy-five of the acts of eighteen hundred and five, approved March eighth, eighteen hundred and six, incorporating the Massachusetts Charitable Mechanic Association, as amended, is hereby further amended by striking out section three and inserting in place thereof the following section:— *Section 3.* After the payment of taxes and the payment for necessary alterations and repairs to the building known as Mechanics' Building and located on Huntington avenue in the city of Boston, which payments may be made from the charity fund and from the annual income, the annual income of said corporation shall only be employed for the purpose of relieving the distresses of unfortunate mechanics and their families, to promote inventions and improvements in the mechanic arts by granting premiums for said inventions and improvements, and to assist young mechanics with loans of money.

SECTION 2. Whatever authority is granted by this act is hereby declared to be limited to such authority as the general court may constitutionally grant, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act.

SECTION 3. This act shall take full effect upon its acceptance at any time after the expiration of ninety days from the passage of this act, by vote of said corporation at an annual meeting or a meeting called for the purpose and upon the filing by the secretary of said corporation with the state secretary of a certificate evidencing such acceptance.

Approved June 6, 1946.

AN ACT PROVIDING FOR THE ISSUANCE BY THE COMMONWEALTH TO CERTAIN HEIRS-AT-LAW OF PERSONS, WHO DIED WHILE SERVING IN THE ARMED FORCES OF THE UNITED STATES DURING WORLD WAR II OR AS A RESULT OF SUCH SERVICE, OF CITATIONS OR CERTIFICATES AS TO SUCH SERVICE AND DEATH. *Chap. 469*

Be it enacted, etc., as follows:

In recognition of and as a mark of appreciation for services rendered in the armed forces of the United States during World War II by any person who was killed in or died as a result of such service, and who would, if alive, be entitled to the benefits of chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, the adjutant general, subject to appropriation and in co-operation with the state treasurer, shall cause to be issued and delivered to such heir-at-law of such deceased person as is entitled to the benefits of section three of said chapter seven hundred and thirty-one a citation or certificate setting forth the name

of such deceased person, the fact that he so served, and the fact that he was killed in or died as a result of such service, and bearing thereon a facsimile signature of the governor as commander-in-chief of the military and naval forces of the commonwealth and a facsimile signature of the adjutant general in attestation thereto. The cost of carrying out the provisions of this act shall be paid from revenues received under chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, as amended.

Approved June 6, 1946.

Chap.470 AN ACT RELATIVE TO THE RETIREMENT ALLOWANCE OF WILLIAM J. LALLY UNDER THE STATE RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

William J. Lally, a war veteran employed by the commonwealth in the department of public works from October eighth, nineteen hundred and thirty-five, until September thirtieth, nineteen hundred and thirty-nine, and re-employed by the commonwealth in said department from and after September fourth, nineteen hundred and forty-five, shall be entitled to deposit in the annuity fund of the state retirement system, within three months from the effective date of this act, such amount as the board of retirement of such system may determine in order to establish an account in said annuity fund in an amount equal to that which he would have paid had he been so employed between September thirtieth, nineteen hundred and thirty-nine, and September fourth, nineteen hundred and forty-five; upon the making of such deposit, if and when finally retired, he shall be entitled to the retirement allowance to which he would have been entitled had his said service been continuous from October eighth, nineteen hundred and thirty-five.

Approved June 6, 1946.

Chap.471 AN ACT RELATING TO INSURANCE AGAINST EXPENSES ACTUALLY INCURRED IN REPAIRING OR REPLACING PROPERTY DAMAGED OR DESTROYED BY FIRE OR OTHER CAUSES AND RELATING TO INSURANCE AGAINST THE COST OF ADDITIONAL OR OTHER CONSTRUCTION NECESSARY TO COMPLY WITH APPLICABLE LAWS, ORDINANCES AND BY-LAWS.

Be it enacted, etc., as follows:

SECTION 1. Section forty-seven of chapter one hundred and seventy-five of the General Laws, as amended, is hereby further amended by adding at the end the following clause: —

Seventeenth, To insure buildings and building service equipment pertaining thereto and a part thereof, and machinery, tools, and other equipment appurtenant to or used in connection with any trade, business, manufacturing process, governmental operations, or public and private institutions, except household furniture and furnishings in

G. L. (Ter. Ed.), 175, § 47, etc., amended.

Kinds of business of insurance companies authorized.

dwelling houses, for the difference between the actual value of the insured property at the time any loss or damage occurs and the cost of repairing, rebuilding or replacing on the premises described in the policy, or some other location within the commonwealth mutually agreed upon between the insurer and the insured, with new materials of like size, kind and quality, such property as has been damaged or destroyed by fire or other peril insured against, if repaired, rebuilt or replaced within the commonwealth within not exceeding two years from date of loss or such further time as may be agreed to between the insurer and the insured; and also, to insure against the cost of demolition or reconstruction, or both, of any portion of the insured premises which has not suffered damage and the additional cost of repair or reconstruction, or both, of portions of the insured premises which have suffered damage, necessary to comply with applicable laws, ordinances or by-laws.

SECTION 2. Section forty-eight of said chapter one hundred and seventy-five, as appearing in the Tercentenary Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:— Ten or more persons residents of this commonwealth may form a stock company (a) to transact the business set forth in any one of the clauses set forth in section forty-seven, excepting the third or seventeenth, (b) to transact the business set forth in the first and eighth clauses thereof, (c) to transact the business set forth in the first and second clauses thereof, in the first and seventeenth clauses thereof, in the first, second and eighth clauses thereof, or in the first, second, eighth and seventeenth clauses thereof, (d) to transact the business set forth in any two or more of the fourth, fifth, sixth, seventh, eighth, ninth, tenth, twelfth and thirteenth clauses thereof, or (e) to transact the business set forth in the sixth and sixteenth clauses thereof.

G. L. (Ter. Ed.), 175, § 48, amended.

Organization and capital of stock companies.

SECTION 3. Said section forty-eight is hereby further amended by striking out, in the twenty-second and twenty-third lines, the words "Under the first and second clauses, and under the first, second and eighth clauses, not less than four hundred thousand dollars" and inserting in place thereof the following paragraph:—

G. L. (Ter. Ed.), 175, § 48, further amended.

Under the first and second clauses, under the first and seventeenth clauses, under the first, second and eighth clauses, and under the first, second, eighth and seventeenth clauses, not less than four hundred thousand dollars.

Minimum capital required in certain cases.

SECTION 4. Said chapter one hundred and seventy-five is hereby further amended by striking out section forty-eight A, as so appearing, and inserting in place thereof the following section:— *Section 48A.* Ten or more persons, residents of this commonwealth, may form a mutual company, (a) to transact the business set forth in any one of the clauses of section forty-seven, except the eleventh, fourteenth, fifteenth or seventeenth; (b) to transact the business set forth in the first and third, the first and eighth, the third

G. L. (Ter. Ed.), 175, § 48A, amended.

Organization of mutual companies.

and eighth, or in the first, third and eighth clauses; (c) to transact the business set forth in the first and second clauses, in the first and seventeenth clauses, in the first, second and eighth clauses, or in the first, second, eighth and seventeenth clauses; (d) to transact the business set forth in any two or more of the fourth, fifth, sixth, seventh, eighth, ninth, tenth, twelfth and thirteenth clauses thereof; or (e) to transact the business set forth in the sixth and sixteenth clauses thereof, except subdivision (e) of said sixth clause.

G. L. (Ter. Ed.), 175, § 51, amended.

SECTION 5. Section fifty-one of said chapter one hundred and seventy-five, as so appearing, is hereby amended by striking out clause (a) and inserting in place thereof the following clause:—

Minimum capital required in certain cases.

(a) The first and second, if authorized to transact either, or the seventeenth, if authorized to transact any one or more of the first, second and eighth clauses, provided it has a paid-up capital of not less than four hundred thousand dollars, or the first and second excepting ocean marine insurance, if authorized to transact either, provided it has a paid-up capital of not less than three hundred thousand dollars, or subdivision (d) of the second clause, if authorized to transact the first.

G. L. (Ter. Ed.), 175, § 54, etc., amended.

SECTION 6. Section fifty-four of said chapter one hundred and seventy-five, as amended, is hereby further amended by inserting after clause (a) the following clause:—

Cash assets of certain mutual companies, amount required.

(a $\frac{1}{2}$) The seventeenth, if authorized to transact any one or more of the first, second and eighth clauses, provided that it has net cash assets over all liabilities, computed on the basis fixed by sections ten and eleven, of not less than four hundred thousand dollars and provided further that if a company does not have net cash assets to the said amount, it may transact business under the seventeenth clause, with the approval of the commissioner, if all risks insured by it under said clause are fully reinsured with a company authorized to transact business in the commonwealth whose net cash assets, so computed, together with such assets of the ceding company, aggregate not less than eight hundred thousand dollars.

G. L. (Ter. Ed.), 175, new § 96A, added.
Limits on certain losses regulated.

SECTION 7. Said chapter one hundred and seventy-five is hereby further amended by inserting after section ninety-six the following new section:—*Section 96A.* Neither insurance authorized under the provisions of clause seventeenth of section forty-seven nor insurance against loss of use or occupancy shall be subject to the limitations as to value contained in sections ninety-five, ninety-six, ninety-nine, one hundred and two A and one hundred and two B.

Approved June 6, 1946.

AN ACT PROVIDING FOR THE RIGHT OF SELF-INSURERS TO
FURNISH SURETY COMPANY BONDS IN CERTAIN CONTIN-
GENCIES. Chap. 472

Be it enacted, etc., as follows:

SECTION 1. Sub-paragraph (2) (a) of section twenty-five A of chapter one hundred and fifty-two of the General Laws, as most recently amended by chapter three hundred and sixteen of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the sixth sentence and inserting in place thereof the following sentence: — The deposit or deposits may be returned to the employer if the employer shall insure with an insurer under subsection (1) of this section, or qualify as a self-insurer under sub-paragraph (b) of this section, or if he shall cease to transact business in the commonwealth; provided, that in any case he satisfies the department that he is not under any obligation to pay compensation under this chapter, or, if the department so requires, he furnishes the department with a single premium non-cancellable policy, insuring him against any liability that may have arisen under this chapter or with a bond executed as surety by some company authorized to transact the business of workmen's compensation insurance in this commonwealth, in an amount and form approved by the department, guaranteeing the payment of any liability on his part that may have arisen under this chapter.

G. L. (Ter. Ed.), 152, § 25A, etc., amended.

Deposit with state treasurer.

SECTION 2. Sub-paragraph (2) (b) of said section twenty-five A, as most recently amended by chapter five hundred and eighteen of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — By furnishing annually a bond running to the commonwealth, with some surety company authorized to transact business in the commonwealth as surety, in such form as may be approved by the department and in such amount not less than ten thousand dollars as may be required by the department, said bond, however, to be upon the condition that if the license of the principal shall be revoked or if the department shall refuse to renew the license or if the principal shall cease to transact business in the commonwealth or if the principal shall insure with an insurer, the principal shall upon demand deposit with the state treasurer an amount of securities equal to the penal sum of the bond or a single premium non-cancellable policy issued by some insurance company authorized to transact the business of workmen's compensation insurance in this commonwealth, insuring him against any liability that may have arisen under this chapter or a bond executed as surety by some company authorized to transact the business aforesaid in this commonwealth, in an amount and form approved by the department, guaranteeing the payment of any liability on his part that may have arisen under this chapter.

G. L. (Ter. Ed.), 152, § 25A, etc., further amended.

Surety company bond.

Approved June 6, 1946.

Chap. 473 AN ACT RELATIVE TO THE ADMISSIBILITY IN EVIDENCE OF COPIES OF HOSPITAL RECORDS OF OTHER STATES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 233,
§ 79, etc.,
amended.

SECTION 1. Section seventy-nine of chapter two hundred and thirty-three of the General Laws, as most recently amended by section one of chapter two hundred and thirty-three of the acts of nineteen hundred and forty-three, is hereby further amended by inserting after the word "admissible" in the third line the following: —, and records which the court finds are required to be kept by the laws of any other state or territory, or the District of Columbia, by hospitals similarly conducted or operated or which, being incorporated, offer treatment free of charge, may be admitted by the court, in its discretion, — so as to read as follows: —

Section 79. Records kept by hospitals under section seventy of chapter one hundred and eleven shall be admissible, and records which the court finds are required to be kept by the laws of any other state or territory, or the District of Columbia, by hospitals similarly conducted or operated or which, being incorporated, offer treatment free of charge, may be admitted by the court, in its discretion, as evidence in the courts of the commonwealth so far as such records relate to the treatment and medical history of such cases and the court may, in its discretion, admit copies of such records, if certified by the persons in custody thereof to be true and complete; but nothing therein contained shall be admissible as evidence which has reference to the question of liability. Copies of photographic or micro-photographic records so kept by hospitals, when duly certified by the person in charge of the hospital, shall be admitted in evidence equally with the original photographs or micro-photographs.

Records of
hospitals.

Effective
date.

SECTION 2. This act shall take effect on October first in the current year.

Approved June 6, 1946.

Chap. 474 AN ACT TO AUTHORIZE PUBLIC OFF-STREET PARKING FACILITIES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, hereinafter called the city, acting by the board of real estate commissioners of the city, hereinafter called the board, shall forthwith proceed with the establishment of such public off-street parking facilities in the city as the board may deem necessary to insure in the public interest the free circulation of traffic in and through the city. The board shall have, and, subject to the approval of the mayor, shall exercise in the name and on behalf of the city, all powers necessary and convenient to the accomplishment of the purposes of this act, except the power to operate any parking facility established or acquired under this act. Such powers shall include: —

(a) The power to acquire by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws or by purchase, gift, devise or otherwise, but not by lease, and to hold, property, real or personal, or any interest therein except a leasehold estate, in such locations in the city as the board, with the approval of the planning board and the traffic commission of the city, shall have determined require public off-street parking facilities; provided, that the board shall have no power to acquire, except by gift or devise, any property privately held and operated as a garage, which term shall not be construed to include a parking space; and provided, further, that no purchase and no award, settlement or agreement for judgment in eminent domain proceedings hereunder shall be made by the city or in its behalf, unless the terms of the proposed purchase, award, settlement or agreement, together with all pertinent facts, shall first have been submitted to the Boston Finance Commission not less than ten days before such purchase, award, settlement or agreement;

(b) The power to use for the purposes of this act any property now or hereafter within the custody, management and control of the board by virtue of chapter four hundred and thirty-four of the acts of nineteen hundred and forty-three which the board, with the approval of the planning board and the traffic commission of the city, shall have determined should be devoted to the purposes of this act;

(c) The power to clear, grade, surface and resurface any property acquired or used for the purposes of this act, and to construct and maintain thereon such structures and facilities for parking as the board shall determine;

(d) The power to cut curbs and to issue all permits necessary to the conduct of a parking facility on any property acquired or used for the purposes of this act;

(e) The power to lease to any person any property acquired or used for the purposes of this act, to be used by the lessee for the parking of motor vehicles but for no other purpose, for such period, not exceeding three years, and upon such terms as the board shall determine, provided, however, that any lease may contain schedules of maximum rates to be charged by the lessee for the use by the public of the property thereby demised, and also regulations with respect to the use, operation and occupancy of such property; and provided, further, that no lease shall be modified or cancelled, but nothing herein shall be construed to prevent the termination of any lease by the lessor, in accordance with its provisions, for the breach of any covenant or condition thereof;

(f) The power to sell at public auction, to the highest bidder, any property, real or personal, acquired or used for the purposes of this act, whether or not improved, which the board, with the approval of the planning board and the traffic commission, shall have determined to be no longer required for such purposes. Any amounts received from

sales under this paragraph shall be credited to the Parking Facilities Fund established in section four.

SECTION 2. As soon as is reasonably possible after any land has been acquired or devoted to the purposes of this act, pursuant to clauses (a) and (b) of section one, the board shall prepare the same for use as a parking facility pursuant to the powers contained in section one.

No contract for construction or work of any kind in connection with any parking facility, the estimated cost of which amounts to one thousand dollars or more, shall be awarded by the board under this act unless proposals for the same shall have been invited by advertisements in at least one daily newspaper published in the city, once a week for at least two consecutive weeks, the last publication to be at least seven days before the time specified for the opening of said proposals, and then only to the lowest responsible bidder as determined by the board. Such advertisements shall state the time and place where plans and specifications of proposed construction or work may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the board the right to reject all proposals. All such proposals shall be opened in public. No bill or contract shall be split or divided for the purpose of evading any provision of this section. All contracts made by the board hereunder where the amount involved is one thousand dollars or more shall be in writing. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the board, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city treasurer until the contract has been carried out in all respects; and no such contract shall be altered except by written agreement of the contractor, the sureties on his bond and the board. Any amounts received as a result of the failure of faithful performance required in any contract hereunder shall be credited to the Parking Facilities Fund established in section four.

SECTION 3. The board shall, as soon as each parking facility is completed for use under this act, proceed to lease the same and shall invite proposals for the operation thereof, by advertisements in at least one daily newspaper published in the city, once a week for at least two consecutive weeks, the last publication to be at least seven days before the time specified for the opening of said proposals. Such advertisements shall state the time and place where the form of lease may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the board the right to reject all proposals. All such proposals shall be opened in public. No lease shall be made except to the highest responsible bidder as determined by the board. Every lease shall be accompanied by a bond with sureties satisfactory to the board, or by a deposit of money, certified

check or other security for the faithful performance thereof, and such bond or other security shall be deposited with the city treasurer until the lease has been carried out in all respects. All amounts received from leases under this act or as a result of the failure of faithful performance required in any such lease shall be credited as general funds of the city and may be appropriated for any municipal purposes. No person shall be assessed any tax upon any real estate or buildings of which he is the lessee hereunder, any provision of general or special law to the contrary notwithstanding.

SECTION 4. There shall be set up on the books of the city a special account known as the Parking Facilities Fund. Into this account shall be paid the proceeds from sales as provided by paragraph (f) of section one and amounts received as a result of the failure of faithful performance required in any contract as provided in section two. The board may expend from the fund without appropriation for the purposes of this act; provided, that if the amount in the fund at any time exceeds the total amount of indebtedness incurred under this act and then outstanding, together with interest thereon, so much of the excess as the board, with the approval of the planning board and the traffic commission, shall determine is no longer required for the purposes of this act, may be used for general municipal purposes.

SECTION 5. For the purposes of this act, the city may from time to time incur debt and issue bonds or notes to an amount not exceeding, in the aggregate, five million dollars. Debt may be incurred under this act only upon authorization by a two thirds vote of the city council, approved by the mayor in accordance with the city charter. The city treasurer when so authorized may borrow money and issue and sell at public or private sale serial bonds or notes, registered or with interest coupons attached, as the treasurer may deem best. Such bonds or notes shall bear on their face the words, City of Boston Parking Facilities Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Debt incurred from time to time under this act shall not be included in determining the limit of indebtedness of the city as established by law, but shall, except as herein provided, be subject to the provisions, applicable to the city, of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. Said city may issue temporary notes of the city payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes authorized by this section, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this section. All notes issued in anticipation of the issue of such serial bonds or notes shall be paid from the proceeds thereof.

SECTION 6. The public improvements authorized in this act are herein declared to be general in their benefits and no betterments shall be assessed therefor.

SECTION 7. Property acquired or used for the purposes of this act, whether or not leased, shall be deemed to be held by the city in its governmental capacity; and the city shall not be liable for any injury, loss or damage suffered by any person or property on or about any property so acquired or used.

SECTION 8. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 9. This act shall take effect upon its passage.

Approved June 7, 1946.

Chap. 475 AN ACT PROVIDING FOR THE CONSTRUCTION AND MAINTENANCE BY THE COMMONWEALTH OF A SOLDIERS' HOME IN THE CITY OF HOLYOKE FOR HOSPITAL AND DOMICILIARY CARE OF WAR VETERANS.

Be it enacted, etc., as follows:

SECTION 1. The board of trustees of the Soldiers' Home in Massachusetts is hereby authorized and directed to construct on land acquired by the commonwealth in the city of Holyoke, under authority of item 0401-36 of section two of chapter seven hundred and thirty-two of the acts of nineteen hundred and forty-five, a two hundred bed soldiers' home whereat hospital and domiciliary care shall be provided in like manner as that provided at the soldiers' home maintained by said board in the city of Chelsea. The eligibility of persons for admission to and treatment at the soldiers' home provided for by this act shall be governed by the eligibility requirements pertaining to admissions to and treatment at said home in the city of Chelsea.

SECTION 2. Said board of trustees shall have the management and control of the home provided for by this act, and for said purposes shall have the same powers and perform the same duties as are vested and imposed in the trustees of state hospitals under the provisions of chapter one hundred and twenty-three, so far as applicable.

SECTION 3. For the purpose of constructing, furnishing and equipping the home provided for by this act, there may be expended such sums as may hereafter be appropriated therefor.

Approved June 7, 1946.

AN ACT RELATIVE TO THE AMOUNT OF PENSION WHICH MAY BE PAID TO RETIRED PUBLIC SCHOOL TEACHERS IN CERTAIN CITIES AND TOWNS. Chap.476

Be it enacted, etc., as follows:

The provisions of the last sentence of section forty-three of chapter thirty-two of the General Laws, as amended, shall apply to the pensions of public school teachers retired prior to the effective date of chapter seven hundred and seven of the acts of nineteen hundred and forty-five as well as to those retired after said effective date.

Approved June 7, 1946.

AN ACT PROVIDING FOR THE ERECTION BY THE METROPOLITAN DISTRICT COMMISSION OF A SHELTER ON THE CONCORD TURNPIKE NEAR LAKE STREET IN THE TOWN OF ARLINGTON. Chap.477

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to erect, at a cost not exceeding twenty-five hundred dollars, on land owned by said commission on the Concord Turnpike about one hundred feet from its intersection with Lake street in the town of Arlington, a shelter for use by the public.

SECTION 2. This act shall take effect upon its passage.

Approved June 7, 1946.

AN ACT REQUIRING THE CITY OF NORTH ADAMS TO REPAY TO CERTAIN PERMANENT MEMBERS OF ITS FIRE DEPARTMENT THE CONTRIBUTIONS MADE BY THEM TO THE CONTRIBUTORY RETIREMENT SYSTEM OF SAID CITY, AND ESTABLISHING THE RETIREMENT RIGHTS OF SUCH MEMBERS. Chap.478

Be it enacted, etc., as follows:

SECTION 1. The retirement board of the city of North Adams is hereby authorized and directed to pay over to Edward W. Pilot, Bernard R. Belivreau, Arthur N. Brulé, Romeo J. Beauchemin, Charles Maxymillian and Leeward Lafortune, all permanent firemen of said city, all deductions withheld from their wages as such firemen on account of the membership of each of the aforesaid firemen in the contributory retirement system of said city, and the names of said firemen shall be stricken from the rolls of the retirement board of said city as members of said retirement system. Each of the aforesaid firemen shall be entitled to the benefits of pension or retirement allowances provided for firemen under sections eighty to eighty-three, inclusive, and section eighty-nine of chapter thirty-two of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Approved June 7, 1946.

Chap. 479 AN ACT RELATIVE TO THE FILLING OF THE OFFICE OF CHIEF ENGINEER OF THE BOARD OF FIRE ENGINEERS OF THE TOWN OF NORTH ANDOVER.

Be it enacted, etc., as follows:

SECTION 1. James Hargreaves, present member of the board of fire engineers of the town of North Andover and chief engineer of said board at the time of the acceptance of chapter four hundred and twenty-five of the acts of nineteen hundred and forty-five by said town, shall be subjected by the division of civil service to a non-competitive qualifying examination as soon as possible, but in no event later than December first of the year nineteen hundred and forty-six, and upon passing such examination shall become chief engineer of the board of fire engineers of said town and his tenure of office as such shall be unlimited, subject, however, to the civil service laws and rules relating to permanent members of fire departments in towns.

SECTION 2. The purpose of this act is to carry out, as nearly as possible, the intent of the general court as manifested in chapter four hundred and twenty-five of the acts of nineteen hundred and forty-five and chapter two hundred and sixty-six of the acts of nineteen hundred and forty-six, to afford to said Hargreaves an opportunity to secure the benefits of said chapters, of which opportunity he was inadvertently deprived by reason of the fact that said chapter two hundred and sixty-six was delayed in becoming effective until after the end of his last term of office as chief engineer of the board of fire engineers of said town.

SECTION 3. This act shall take effect upon its passage.

Approved June 7, 1946.

Chap. 480 AN ACT GRANTING A CREDIT TO THE EXAMINATION STANDING OF CERTAIN VETERANS APPLYING FOR ELECTRICIANS' LICENSES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make possible the granting of an additional credit to the examination standing of certain applicants for electricians' licenses, which applicants have served in the armed forces of the United States in time of war, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter one hundred and forty-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the fourth paragraph.

SECTION 2. Said chapter one hundred and forty-one is hereby further amended by inserting after section two the

G. L. (Ter.
Ed.), 141, § 2,
amended.

G. L. (Ter.
Ed.), 141,
new § 2A,
added.

following new section: — *Section 2A.* In the conduct of the examinations they shall make uniform requirements for all towns, which may be revised from time to time, as circumstances require. They shall grant a credit of five per cent to the examination standing of each applicant who has served in the army or navy of the United States in time of war and has been honorably discharged or released from active duty; provided, that such applicants make application within one year of their discharge or release as aforesaid or within one year of the effective date of this section, whichever is the latest. Said examinations shall be sufficiently frequent to give ample opportunity for all applicants to be thoroughly and carefully examined, may be written or in practical work, and may be supervised by one or more of the examiners, but no license shall be granted without the sanction of the examiners.

Conduct
of exami-
nations.

Approved June 7, 1946.

AN ACT RELATIVE TO CREDIT FOR MEMBERS OF CONTRIBUTORY RETIREMENT SYSTEMS FOR PUBLIC EMPLOYEES FOR INTRA-STATE SERVICE IN GOVERNMENTAL UNITS WHERE NO RETIREMENT SYSTEM EXISTED.

Chap. 481

Be it enacted, etc., as follows:

Paragraph (5) of section three of chapter thirty-two of the General Laws, as appearing in section one of chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five, is hereby amended by striking out, in the eighteenth line, the word "ten" and inserting in place thereof the word:— twenty,—so as to read as follows:—

G. L. (Ter.
Ed.), 32,
§ 3, etc.,
amended.

(5) Any member of any system who had rendered service as an employee of any governmental unit other than that by which he is presently employed, for any previous period during which the first governmental unit had no contributory retirement system or during which he had inchoate rights to a non-contributory pension under the provisions of this chapter, or under corresponding provisions of earlier laws or of any other general or special law, may, either before January first, nineteen hundred and fifty-one, or within five years after becoming a member or being reinstated as such, and before the date any retirement allowance becomes effective for him, pay into the annuity savings fund of the system in one sum, or in instalments, upon such terms and conditions as the board may prescribe, an amount equal to that which would have been withheld as regular deductions from his regular compensation for such previous period or most recent portion thereof as he may elect, in no event aggregating more than twenty years, had such service been rendered in the governmental unit by which he is presently employed and in a position subject to the provisions of sections one to twenty-eight inclusive, or to corresponding provisions of earlier laws. In addition to the payment of such sum or instalments thereof, such member shall also pay into the annuity savings fund an amount of interest such that at the completion of

Credit for
intra-state
service in
governmental
units where
no system
existed.

Payments
into fund.

such payments the value of his accumulated payments, together with regular interest thereon, actually made on account of such previous intra-state service shall equal the value of his accumulated regular deductions which would have resulted if regular deductions had been made when regular compensation for such service was actually received. Upon the completion of such payments such member shall receive the same credit for such period of his previous intra-state service or portion thereof elected as would have been allowed if such service had been rendered by him in the governmental unit by which he is presently employed. Such member shall furnish the board with such information as it shall require to determine the amount to be paid and the credit to be allowed under this subdivision.

Approved June 7, 1946.

Chap. 482 AN ACT PROVIDING FOR THIRD ASSISTANT REGISTERS OF PROBATE IN THE COUNTIES OF HAMPDEN, NORFOLK AND WORCESTER.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 217, § 25A, etc., amended.

Third assistant registers of probate in certain counties.

Chapter two hundred and seventeen of the General Laws is hereby amended by striking out section twenty-five A, inserted by section one of chapter four hundred and seventy-five of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section: — *Section 25A.* The judges of probate for the counties of Essex, Hampden and Worcester and the judge of probate for the county of Norfolk may appoint a third assistant register for their respective counties, who shall hold office for three years unless sooner removed by the judges or by the judge, as the case may be. They shall be subject to the laws relative to assistant registers.

Approved June 7, 1946.

Chap. 483 AN ACT PROVIDING FOR THE CONSTRUCTION OF A SEA WALL IN THE GREEN HILL SECTION OF THE TOWN OF HULL.

Be it enacted, etc., as follows:

SECTION 1. Subject to the conditions herein imposed, the department of public works is hereby authorized and directed to construct a sea wall in the Green Hill section of the town of Hull for the purpose of protecting the shore in said area from erosion by the sea. No work shall be begun until the town of Hull has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that may be incurred hereunder, nor until there has been paid into the state treasury by the county of Plymouth the sum of sixty-two hundred and fifty dollars and by said town of Hull the sum of sixty-two hundred and fifty dollars, which, together with such sum, not exceeding twelve thousand five hundred dollars, as may hereafter be appropriated by the commonwealth, shall constitute a fund for the improvements herein authorized;

provided, that the total cost of such improvement shall not exceed twenty-five thousand dollars; and provided, further, that if any of the aforesaid sum remains after the completion of such improvements one fourth of such remainder shall be repaid to said county and one fourth thereof shall be repaid to said town.

SECTION 2. For the purpose of meeting the payments required to be made by the county of Plymouth under this act, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, sixty-two hundred and fifty dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Plymouth County — Hull Sea Wall Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under section two, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by said section. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 4. For the purpose of meeting the payments required to be made by the town of Hull under this act, said town may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, sixty-two hundred and fifty dollars, and may issue notes therefor, which shall bear on their face the words, Town of Hull, Sea Wall Loan. Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid within five years from their dates. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 5. This act shall take full effect upon its acceptance during the current year by vote of the county commissioners of Plymouth county and by vote of the town of Hull in town meeting and the filing in the office of the said department of certified copies of said votes.

Approved June 7, 1946.

Chap.484 AN ACT PROVIDING FOR THE IMPROVEMENT OF OLD HARBOR
IN THE TOWN OF SANDWICH.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to improve Old Harbor, so called, in the town of Sandwich by dredging and constructing such breakwaters and jetties as may be necessary, with special reference to maintaining a harbor of refuge for fishing boats or vessels and small pleasure crafts, at a total cost not exceeding thirty thousand dollars; provided, that federal funds sufficient to pay one fourth of said total cost are made available therefor. The remainder of said cost shall be paid as follows: — one fourth by the commonwealth from item 2202-11 of section two of chapter three hundred and nine of the acts of the current year, one fourth by the county of Barnstable and one fourth by the town of Sandwich.

Approved June 7, 1946.

Chap.485 AN ACT PROVIDING FOR THE CONSTRUCTION BY THE PORT OF
BOSTON AUTHORITY OF SHORE PROTECTION IN THE CITY OF
QUINCY.

Be it enacted, etc., as follows:

The Port of Boston Authority is hereby authorized and directed to construct approximately three thousand linear feet of granite shore protection along the beach in the city of Quincy between the site of the Nut Island sewage elimination project and a point north of the Quincy yacht club, between Thomas and Bird streets and between St. Germain street on the Town river and a point two hundred and fifty feet beyond the Weymouth sewer opening. For said purposes, said authority may expend sums, not exceeding, in the aggregate, eighty thousand dollars, of which amount one half shall be paid by the commonwealth, subject to appropriation, and one half shall be contributed by the city of Quincy.

Approved June 7, 1946.

Chap.486 AN ACT PROVIDING FOR THE CONSTRUCTION OF AN OVERPASS
OR UNDERPASS ACROSS THE STATE HIGHWAY FROM SUMMER
STREET TO WINTER STREET AT PLEASANT STREET IN THE
CITY OF NEWBURYPORT.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct an overpass or underpass across the state highway from Summer street to Winter street at Pleasant street, in the city of Newburyport. For said purpose said department may expend such sums, not exceeding, in the aggregate, twelve thousand dollars, as may hereafter be appropriated therefor.

Approved June 7, 1946.

AN ACT PROVIDING FOR THE BUILDING OF JETTIES AND OTHER SHORE PROTECTION IN THE TOWN OF PLYMOUTH. *Chap. 487*

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to build four jetties in the town of Plymouth in an area between the southerly end of Stage point, Manomet, on the north and a continuation of the northerly street line of Strand avenue, Manomet, on the south, together with other shore protection for the purpose of protecting the shore in said town from erosion by the sea. No work shall be begun until the town of Plymouth has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that may be incurred hereunder, nor until there has been paid into the state treasury by the county of Plymouth the sum of three thousand dollars and by said town of Plymouth the sum of three thousand dollars, which, together with such sum, not exceeding six thousand dollars, as may hereafter be appropriated by the commonwealth, shall constitute a fund for the improvements herein authorized; provided, that the total cost of such improvement shall not exceed twelve thousand dollars; and provided, further, that if any of the aforesaid sum remains after the completion of such improvement, one fourth of such remainder shall be repaid to said county and one fourth thereof shall be paid to said town.

Approved June 7, 1946.

AN ACT RELATIVE TO THE USE OF CERTAIN PARK LANDS IN THE TOWN OF WEBSTER. *Chap. 488*

Be it enacted, etc., as follows:

SECTION 1. The town of Webster is hereby authorized, upon a vote of the town at any town meeting called for the purpose, to use for the purposes of a public playground under section fourteen of chapter forty-five of the General Laws a parcel of land owned by it and used as a public park, known as Morris Hunt Slater Park, and to set apart as an athletic field such portion of said park as it may designate, and to use such athletic field, and, under such terms as it may impose, to allow such field to be used by others, for athletic games and other entertainments of a public nature, to which an admission fee may be charged.

SECTION 2. Said town is hereby further authorized, upon a vote of the town at any town meeting called for the purpose and notwithstanding any limitation contained in chapter forty-five of the General Laws, to set apart such portion of a parcel of land owned by it and used as a public park, known as Second Island, as it may designate, and to use said portion as a town bathing beach or for such other municipal purposes as said town, from time to time, may determine, and to erect, equip and maintain at said beach a bathhouse and

pavilion, and said town may restrict the use of the same to its inhabitants, their guests, and seasonal residents, and may adopt by-laws, not repugnant to law, relative to the use, care, regulations and control of the same for such purposes.

SECTION 3. This act shall take effect upon its passage.

Approved June 8, 1946.

Chap. 489 AN ACT RELATIVE TO THE WATER SUPPLY OF THE COHASSET WATER COMPANY, AND ITS PURCHASE AND OPERATION BY THE TOWN OF COHASSET.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-eight of the acts of eighteen hundred and eighty-six is hereby amended by striking out section two, as amended by section one of chapter four hundred and six of the acts of nineteen hundred and eight, and inserting in place thereof the following section:—*Section 2.* For the purposes aforesaid, said corporation may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase, gift, devise or otherwise, and hold the waters, or any portion thereof, of any pond, brook, spring or stream or of any ground water sources, by means of driven, artesian or other wells or filter galleries within the limits of the town of Cohasset and elsewhere, as provided for by this act and all acts in amendment thereof and in addition thereto, not already appropriated for purposes of public water supply, and the water rights connected with any such water sources, or may exercise any combination of the rights and privileges hereinbefore granted; and also for said purposes may take by eminent domain under said chapter seventy-nine or said chapter eighty A, or acquire by lease, purchase, gift, devise or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof and for conveying the same to any part of said town; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, wells or filter galleries, filtration and pumping plants or other works necessary in carrying out the provisions of this act shall be subject to the approval of said department; and for said purposes said corporation may acquire by lease, purchase, gift, bequest or otherwise any appliances, works, tools, machinery and other equipment that may be necessary or expedient in carrying out the provisions of this act. Said

corporation may construct and maintain on the lands acquired and held under this act proper dams, wells, reservoirs, pumping and filtration plants, buildings, standpipes, tanks, fixtures and other structures, including also purification and treatment works, the construction and maintenance of which shall be subject to the approval of said department of public health, and may make excavations, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct, lay and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways, and along any such way in said town in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said corporation may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon; provided, that all things done upon any such way shall be subject to the direction of the selectmen of said town. Said corporation shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation or, in case of failure so to agree, as may be approved by the department of public utilities. Said corporation may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any works or for any other purpose authorized by this act.

SECTION 2. Said chapter one hundred and twenty-eight is hereby further amended by striking out section ten and inserting in place thereof the following section:— *Section 10.* Said town, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under this act and all acts in amendment thereof and in addition thereto, other than expenses of maintenance and operation, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, the amount that may be borrowed under authority of section eight of chapter forty-four of the General Laws, as amended, for water supply purposes, or if the compensation to be paid shall be determined by the department of public utilities as provided in section nine of this act, as amended and as affected by section five of chapter one hundred and sixty-five of the General Laws, then said town may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, the sum determined upon by said department. Such bonds or notes shall bear on their face the words, Town of Cohasset Water Loan, Act of 1946. Each authorized issue shall con-

stitute a separate loan and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall, except as provided herein, be subject to chapter forty-four of the General Laws.

SECTION 3. Said chapter one hundred and twenty-eight is hereby further amended by striking out section eleven and inserting in place thereof the following section: — *Section 11.* Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section ten; and, when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating its water works, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall without further vote be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

SECTION 4. Section twelve of said chapter one hundred and twenty-eight is hereby repealed.

SECTION 5. Section thirteen of said chapter one hundred and twenty-eight is hereby repealed; but such repeal shall not affect any act done, ratified or confirmed, any liability incurred or any right accruing or established before this repeal takes effect.

SECTION 6. Said chapter one hundred and twenty-eight is hereby further amended by striking out section fourteen and inserting in place thereof the following section: — *Section 14.* The selectmen of said town shall appoint three members who shall be voters (none of whom during their service shall hold any other regular, elective or appointive town office) to serve as water commissioners until the qualification of water commissioners elected at the annual town meeting of said town in nineteen hundred and forty-seven or at such later date, if any, as the town may elect water commissioners, as hereinafter provided. Whenever the phrase "said board of water commissioners" or "said board" or "said commissioners" occurs in this act it shall mean and include the board of water commissioners elected or the board appointed by the selectmen acting as such, as the case may be. Said town, at an annual town meeting or at any special town meeting held not less than thirty days prior to an annual town meeting, may vote to elect by ballot three water commissioners, one to serve until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the next succeeding annual town meeting, to constitute a board of water commissioners; and at the annual town meeting held on the day on which the shortest of such terms expires, and at each annual town meeting thereafter, one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act, except sections ten, eleven and fourteen A and not otherwise specially

provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as said town may impose by its vote. The land, water rights and other property taken or acquired by the town of Cohasset under this act, and all works, buildings and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the town. A majority of said commissioners shall constitute a quorum for the transaction of business. After the election of a board of water commissioners under authority of this section, any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any town meeting called for the purpose. Any such vacancy may be filled temporarily in the manner provided by section eleven of chapter forty-one of the General Laws, and the person so appointed shall perform the duties of the office until the next annual town meeting of said town or until another person is qualified.

SECTION 7. Said chapter one hundred and twenty-eight is hereby further amended by inserting after section fourteen the following new section:— *Section 14A.* Said commissioners shall fix just and equitable prices and rates for the use of water, subject to the approval of said town, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued under authority of this act and all acts in amendment thereof and in addition thereto. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as the water commissioners, with the approval of the town, may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. All authority vested in said commissioners by the foregoing provisions of this section shall be subject to section fourteen. Said commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of the receipts and expenditures.

SECTION 8. Said chapter one hundred and twenty-eight is hereby further amended by inserting after section fourteen A the following new section:— *Section 14B.* If, for any reason, the board of water commissioners should refuse to extend water mains or pipes into sections of the town not previously supplied with water from the town water works, a two thirds vote of an annual town meeting shall be necessary to annul such refusal.

SECTION 9. This act shall take effect upon its passage.

Approved June 8, 1946.

Chap. 490 AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC UTILITIES TO PERMIT THE OPERATION OF MOTOR VEHICLES FOR THE CARRIAGE OF PASSENGERS FOR HIRE OVER ROUTES BETWEEN THE CITY OF BOSTON AND THE TOWN OF HANCOCK AND INTERMEDIATE POINTS THEREON.

Be it enacted, etc., as follows:

SECTION 1. The department of public utilities, upon application of any person or corporation holding a certificate of public convenience and necessity from the Interstate Commerce Commission permitting the operation of motor vehicles for the carriage of passengers for hire in interstate commerce in or through all of the cities and towns hereinafter specified and who or which has operated motor vehicles for the carriage of passengers for hire under authority of a special license and war emergency certificate granted by the department of public utilities pursuant to Executive Order No. 11 promulgated in accordance with the provisions of sections two and three of chapter thirteen of the acts of nineteen hundred and forty-two, in or through the following cities and towns to wit, Boston, Brookline, Newton, Wellesley, Natick, Framingham, Southborough, Westborough, Northborough, Shrewsbury, Worcester, Auburn, Oxford, Charlton, Sturbridge, Brimfield, Monson, Palmer, Wilbraham, Springfield, West Springfield, Holyoke, Easthampton, Northampton, Williamsburg, Goshen, Cummings, Windsor, Dalton, Pittsfield, Hancock, Watertown, Waltham, Weston, Wayland, Sudbury, Marlborough, Westfield, Russell, Huntington, Chester, Becket, Lee, Lenox and Chicopee and covering a continuous route between the city of Boston and the town of Hancock, may grant to such person or corporation, upon a determination that public convenience and necessity so require, a certificate of public convenience and necessity to operate motor vehicles for the purposes set forth in chapter one hundred and fifty-nine A of the General Laws, in or through and between the above specified cities or towns, but subject to the conditions and restrictions hereinafter set forth. The department of public utilities in such certificate shall specify the route or routes over which the motor vehicle to be used thereunder may operate and may prescribe the period during which the rights granted hereunder may be exercised and may attach to the exercise of such rights such terms and conditions as it shall deem that public convenience and necessity may require. The provisions of section one of said chapter one hundred and fifty-nine A relative to the obtaining of licenses for such operation shall not be applicable to an applicant who receives a certificate from the department of public utilities in accordance with and subject to the provisions of this act, and such certificate when issued shall have the effect of such licenses. The department, after notice and hearing, may revoke any such certificate granted hereunder for cause, and may, except as hereinafter provided, in like manner revise any provisions thereof and any of the terms

and conditions of such certificate. In addition to such terms, restrictions and conditions as the department may attach to the exercise of the rights granted in any certificate hereunder such certificate shall contain the following specific terms, conditions and restrictions which shall not be revised by the department except after public hearing and notice as provided in section two: when operating motor vehicles pursuant to the authority of such certificate between the cities of Boston and Westfield, inclusive, in either direction, herein called Zone 1 no passenger may be admitted to such motor vehicles in said Zone 1 to be transported to any other point in said Zone 1; when operating motor vehicles pursuant to the authority of such certificate between the cities of Boston and Northampton, inclusive, in either direction, herein called Zone 2 no passenger may be admitted to such motor vehicles in said Zone 2 to be transported to any other point in said Zone 2; and when operating motor vehicles pursuant to the authority herein granted between the intersection of highway routes numbered 15 and 20 in the town of Sturbridge and the town of Hancock, inclusive, in either direction, herein called Zone 3 no passenger may be admitted to such motor vehicles in said Zone 3 to be transported to any other point in said Zone 3.

SECTION 2. Before granting such certificate, said department shall give a public hearing upon the application therefor after due notice to the licensing authorities as defined in section one of said chapter one hundred and fifty-nine A of each of the cities and towns specified in section one of this act and to all railroad companies, street railway companies and all holders of certificates under section seven of said chapter one hundred and fifty-nine A operating in or through said cities and towns, and to such other persons or corporations deemed by said department to be interested in the proceedings. A certificate granted hereunder by the said department shall confer the same rights as if granted upon full compliance with said chapter one hundred and fifty-nine A and shall be subject to the provisions of said chapter one hundred and fifty-nine A, in so far as the same may be applicable.

SECTION 3. This act shall take effect upon its passage.

Approved June 8, 1946.

AN ACT PROVIDING FOR THE CONSTRUCTION AND MAINTENANCE BY THE COMMONWEALTH OF AN ADDITIONAL HOSPITAL FOR FEEBLE-MINDED CHILDREN. Chap. 491

Be it enacted, etc., as follows:

The department of mental health is hereby authorized and directed to construct and maintain at a suitable location in the commonwealth an additional hospital for feeble-minded children. For said purposes said department may expend such sums as may be hereafter appropriated therefor.

Approved June 8, 1946.

Chap. 492 AN ACT TO ALLOW CREDIT UNDER CERTAIN CONTRIBUTORY RETIREMENT LAWS FOR SERVICE RENDERED IN PUBLIC DAY SCHOOLS OUTSIDE THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32.
§3, etc.,
amended.

Section three of chapter thirty-two of the General Laws is hereby amended by striking out paragraph (4), as most recently amended by section two of chapter four hundred and three of the acts of the current year, and inserting in place thereof the following paragraph:—

Teacher's
credit for
out-of-state
service.

(4) Any member of the teachers' retirement system, or any member of any other contributory retirement system who is employed in a teaching position or employed in the department of education as supervisor of teachers or of educational methods in a school or college, who had rendered service as a teacher in the public day schools of any other state for any previous period, may, either before January first, nineteen hundred and fifty-one, or within five years after becoming a member or being reinstated as such, and before the date any retirement allowance becomes effective for him, pay into the annuity savings fund of the system in one sum, or in instalments, upon such terms and conditions as the board may prescribe, an amount equal to that which would have been withheld as regular deductions from his regular compensation for such previous period or most recent portion thereof as he may elect, in no event aggregating more than ten years, had such service been rendered in a public school of the commonwealth and had he been a member of the teachers' retirement system during the period the service was rendered, provided that for such service which was rendered prior to July first, nineteen hundred and fourteen, payment shall be made equal to the regular deductions which would have been withheld from his regular compensation if the teachers' retirement system, as established by chapter eight hundred and thirty-two of the acts of nineteen hundred and thirteen, had been in effect during the period the service was rendered, and the interest to July first, nineteen hundred and fourteen shall be computed at the rate of three per cent. In addition to the payment of such sum or instalments thereof, such member shall also pay into the annuity savings fund an amount of interest such that at the completion of such payments the value of his accumulated payments, together with regular interest thereon, actually made on account of such previous out-of-state service shall equal the value of his accumulated regular deductions which would have resulted if regular deductions had been made when regular compensation for such service was actually received. Upon the completion of such payments such member shall receive the same credit for such period of his previous out-of-state service or portion thereof elected as would have been allowed if such service had been rendered by him in a public school of the commonwealth. Such

member shall furnish the board with such information as it shall require to determine the amount to be paid and the credit to be allowed under this subdivision.

Approved June 8, 1946.

AN ACT RELATIVE TO THE RETIREMENT AND PENSION RIGHTS OF EMPLOYEES OF THE DEPARTMENT OF BANKING AND INSURANCE, DIVISION OF BANKS AND LOAN AGENCIES, WHO HAVE BEEN OR MAY BE TEMPORARILY EMPLOYED IN THE LIQUIDATION OF BANKS. Chap. 493

Be it enacted, etc., as follows:

SECTION 1. Chapter thirty-two of the General Laws is hereby amended by adding after paragraph (h) of clause one of section four, as appearing in section one of chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five, the following paragraph: —

G. L. (Ter. Ed.), 32, § 4, etc., amended.

(i) Any member who is an employee of the division of banks and loan agencies and who is assigned by the commissioner of banks to serve in the liquidation of any banking corporation under the supervision of said commissioner and who receives compensation for such service from the funds of such corporation, shall deposit in the annuity savings fund of the state retirement system such amounts as he would have contributed during the period of such service, but in no event for more than three years, had he remained on the payroll of the commonwealth. In such case he shall receive full credit for such service as if his salary had been paid by the commonwealth.

Retirement and pension rights of certain employees of department of banking and insurance.

SECTION 2. Any member who has heretofore so served in such liquidation shall receive similar credit; provided, that he shall before January first, nineteen hundred and fifty, and in any event before his retirement, have paid into said annuity savings fund in one sum or in installments as approved by the state retirement board an amount equal to what he would have paid during the term of such service, with regular interest.

Approved June 8, 1946.

AN ACT RELATIVE TO THE EXTENSION OF RAPID TRANSIT FACILITIES IN THE EAST BOSTON DISTRICT OF THE CITY OF BOSTON. Chap. 494

Be it enacted, etc., as follows:

SECTION 1. Chapter six hundred and ninety-two of the acts of nineteen hundred and forty-five is hereby amended by striking out section two and inserting in place thereof the following section: — *Section 2.* The department shall extend the East Boston tunnel rapid transit route from its present terminus near Maverick square to a point at or near Orient Heights. The route of said extension shall be in part via subway under public and private land or rights-of-way,

in part at ground surface or elevated, or both, as may be determined by the department. Said route may be so laid out as to cross Neptune road at an elevation substantially the same as the existing elevation of said Neptune road. The department may construct such suitable roadways, sidewalks and appurtenances as may be necessary to provide access to properties south of said route which would otherwise be rendered inaccessible by said crossing of Neptune road. The department shall construct at or near Porter street, at or near Day square and at or near Orient Heights, suitable stations and busways for the convenient interchange of passengers to and from the airport and adjacent areas and the areas adjacent to and beyond Day square and Orient Heights. The department shall also construct such tracks, shops and structures as may be necessary for the storage, repair and inspection of a suitable number of cars as determined by the company. The department shall employ, in so far as practicable, honorably discharged veterans of World War I or World War II.

If the extension is run over the location or a portion thereof of the Boston and Albany railroad, the city shall acquire a right-of-way therefor from said railroad either by purchase or by eminent domain under chapter seventy-nine of the General Laws, and said railroad shall be entitled to recover compensation. Said compensation may be in whole or in part in land, bridges, structures, materials or labor, including such alterations as may be necessary to provide said railroad with facilities equivalent to those existing upon the effective date of this act, provided the parties so agree.

SECTION 2. Section five of said chapter six hundred and ninety-two is hereby amended by striking out, in the fourth line, the words "five million" and inserting in place thereof the words:— eight million five hundred thousand,— by striking out, in the twenty-eighth line, the words "half of one" and inserting in place thereof the words:— and one half,— and by striking out, in the thirty-first line, the words "four and one half" and inserting in place thereof the word:— three,— so as to read as follows:— *Section 5.* No construction work shall be done under this act unless and until a plan therefor, together with estimates of cost indicating that the project can be completed at a cost not exceeding eight million five hundred thousand dollars, shall be approved by the commission of the department of public utilities and unless and until a contract between the city and the company shall have been executed for the sole and exclusive use by the company of the premises and equipment for a term beginning with the use thereof and ending upon the termination of the lease or contract for use as at present extended of the East Boston Tunnel. Any plan so approved may be altered at any time by a new plan approved in like manner except that after the execution of said contract for use no such alteration shall be made without the consent thereto of the company in writing. The contract shall be in

the same general form as that authorized by chapter four hundred and eighty of the acts of nineteen hundred and twenty-three, except in so far as any other provision may be agreed upon by the department and the company as specially applicable to the demised premises. The net cost of the premises and equipment shall be determined in the manner provided in said chapter four hundred and eighty. The rental shall be payable annually on the twenty-fifth day of January in each year. Such contract for use shall provide that the company shall pay to the city for each full year ending with the last day of December, and ratably for any portion of the year, an annual rental which shall be sufficient to provide an amount equal to one and one half per cent of the net cost of the premises and equipment in addition to the annual amount of interest on bonds issued to pay for said net cost, but not less than three per cent of said net cost in any event; provided, that said annual rental shall be payable by the company in any year only if and to the extent that the reserve fund provided for by section five of chapter one hundred and fifty-nine of the Special Acts of nineteen hundred and eighteen exceeds on the last day of December the amount originally established; and provided, further, that such excess shall be determined and the obligation to pay the rental shall accrue only after deducting from said reserve fund the full amount of the rental payable under any contracts executed under the authority of chapter three hundred and forty-one of the acts of nineteen hundred and twenty-five as amended, and the full amount of the rental payable under any contracts executed under the authority of Part II of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three as amended and after fully reimbursing the commonwealth as provided in sections eleven and thirteen of said chapter one hundred and fifty-nine. If by virtue of the foregoing provisos the company is not required to make the full rental payments as above provided, the commonwealth shall during the term of said contract and until the subway bonds issued by the city of Boston under this act shall have been paid, or a sinking fund accumulated sufficient to pay the same at maturity, pay to the city of Boston on or before March first in each year the amount so unpaid.

On application of the city of Boston, the department of public utilities shall determine the amount so to be paid by the commonwealth. In order to provide for any such payment, the state treasurer may borrow as provided in section eleven of said chapter one hundred and fifty-nine. In case the commonwealth shall be called upon to make any payments hereunder, the amount thereof, with interest or other charges incurred in borrowing money for the purpose, shall be assessed upon the cities and towns which paid assessments under the last preceding assessment under section fourteen of said chapter one hundred and fifty-nine in proportion to the amounts paid, and shall be assessed and collected in the manner provided in said section fourteen.

SECTION 3. Section ten of said chapter six hundred and ninety-two is hereby amended by striking out, in the third line, the words "five million" and inserting in place thereof the words: — eight million five hundred thousand, — so as to read as follows: — *Section 10.* To meet the cost of the premises and equipment, the city may issue bonds, to an amount not exceeding eight million five hundred thousand dollars, which shall be designated on their face Subway Bonds Acts of 1945, in the same manner as bonds issued under section eleven of said chapter four hundred and eighty of the acts of nineteen hundred and twenty-three and the provisions of said section shall apply to the premises and equipment and all action taken under authority of this section.

SECTION 4. This act shall take full effect only upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon the filing of certificates of such acceptances with the state secretary.

Approved June 8, 1946.

Chap. 495 AN ACT RELATIVE TO THE LICENSING OF PERSONS ENGAGED IN THE CONSTRUCTION AND MAINTENANCE OF ELEVATORS AND ESCALATORS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 143, new § 71D, added.

Licensing of certain persons constructing, etc., elevators, etc.

Chapter one hundred and forty-three of the General Laws is hereby amended by inserting after section seventy-one C, inserted by section one of chapter six hundred and twenty-six of the acts of nineteen hundred and forty-five, the following section: — *Section 71D.* The provisions of sections seventy-one A, seventy-one B and seventy-one C shall not apply to electrical work involved in the installation by a person licensed under chapter one hundred and forty-one on any elevator of signal systems, fans, telephones, electric light fixtures, illuminated thresholds and feed wires to the controller; nor shall they apply to electrical work by such persons in connection with interlocking devices, so-called, on other than automatic elevators. Neither shall said provisions apply to the replacement of fuses, nor to such minor repairs or minor work in connection with maintenance when in the opinion of the commissioner the nature of such work is such that no license referred to in section seventy-one A shall be required.

Approved June 8, 1946.

Chap. 496 AN ACT RELATIVE TO THE ORGANIZATION, POWERS AND DUTIES OF THE MILK REGULATION BOARD.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 6, § 42, etc., amended.

Chapter six of the General Laws is hereby amended by striking out section forty-two, inserted by section two of chapter three hundred and five of the acts of nineteen hundred and thirty-two, and inserting in place thereof the fol-

lowing section:— *Section 42.* There shall be a milk regulation board, consisting of the commissioner of agriculture, the commissioner of public health, the chairman of the milk control board and the attorney general. The chairman of the milk control board shall act as chairman of the milk regulation board. The commissioner of agriculture may delegate his authority as a member of this board to the director of the division of dairying and animal husbandry. The commissioner of public health and the attorney general, respectively, may delegate their authority as such members to such of their assistants as they may designate. Said board after holding a public hearing, notice of which shall have been given at least two weeks prior to the date of the hearing by publication in each county in a newspaper of general circulation therein, shall establish and promulgate rules and regulations pertaining to the sanitation, transportation, packaging and handling of milk, including uniform minimum requirements for the inspection of dairy farms producing milk for distribution, sale or exchange in the commonwealth, and may from time to time amend, modify, repeal or suspend such rules and regulations, first giving notice as provided above of such proposed amendment, modification, repeal or suspension. Said board shall provide suitable uniform cards for the classification of dairy farms producing milk for said purposes, and shall furnish suitable plans, information and advice relative to the construction, installation and development of facilities for improving the quality of milk. The board shall meet at least once in three months, but may meet at any time upon request of its chairman or any member.

Milk regulation board.

Organization of, etc.

Approved June 8, 1946.

AN ACT MAKING CHANGES IN THE LAWS RELATIVE TO THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Chap. 497

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and thirty-one of the acts of nineteen hundred and six is hereby amended by striking out section one, as amended by section one of chapter four hundred and eighty-nine of the acts of nineteen hundred and fourteen, and inserting in place thereof the following section:— *Section 1.* The school committee of the city of Boston, in the year nineteen hundred and forty-two, and in each sixth year thereafter, shall elect a superintendent of schools, who shall hold office for the term of six years from the first day of September in said year. In each year, beginning with the year nineteen hundred and forty-seven, the school committee shall, on the nomination of the superintendent of schools, elect one assistant superintendent, to serve for the term of six years from the first day of September in the year of his election. If a vacancy shall occur in the office of superintendent, the school committee shall fill such vacancy for the unexpired term, and if a vacancy shall

occur in the office of assistant superintendent the school committee, on the nomination of the superintendent of schools, shall fill such vacancy for the unexpired term. The school committee shall fix the compensation of the superintendent and assistant superintendents and may remove them, or any of them, for cause.

No member of the city council or of the school committee shall hold the office of superintendent or assistant superintendent, and no member of the city council shall be a member of the school committee.

The superintendent shall be the executive officer of the school committee in all matters pertaining to the powers and duties of the committee, with power to nominate to the committee, for election or appointment by the committee, all other officials and employees of the committee, except the secretary of the school committee.

The superintendent of schools shall assign to each assistant superintendent such duties as he may see fit, except the review of eligibility lists prepared by the board of examiners.

The superintendent and assistant superintendents and the business manager shall constitute a board, to be known as the board of superintendents. The superintendent shall, when present, preside at the meetings of said board. Said board shall have no executive or administrative powers, but shall act as an advisory board to the superintendent, and, when directed by the superintendent, as a trial board for employees of the school committee.

SECTION 2. Chapter three hundred and eighteen of the acts of nineteen hundred and six is hereby amended by striking out section one, as most recently amended by section one of chapter two hundred and thirty-one of the acts of nineteen hundred and thirty-two, and inserting in place thereof the following section:—*Section 1.* The school committee of the city of Boston shall choose a secretary, not of their own number, who shall be recording secretary of the school committee and the board of superintendents and shall perform such other duties as the committee shall prescribe, and who shall hold office until removed by the committee for cause.

Said committee shall choose, upon the nomination of the superintendent of schools, a business manager, who shall hold office until removed by the committee for cause. Said committee may also choose, upon the nomination of the superintendent of schools, and may for cause remove, an acting business manager who shall serve only during the time that the business manager is absent or otherwise unable to act, and he shall during such time exercise all the powers and perform all the duties of said business manager. The committee may also choose, upon the nomination of the superintendent of schools, and remove such other subordinate officers not specifically provided for by law as they may deem expedient. The business manager shall in writing approve and transmit to the auditor of said city all vouchers,

pay rolls and other documents calling for the expenditure of money, together with summarized requisitions on said auditor, approved by the committee or by any authorized member thereof, and requesting said auditor to place said vouchers, pay rolls and other documents on his draft for payment by the treasurer of said city.

SECTION 3. Any provision in section one of chapter three hundred and eighteen of the acts of nineteen hundred and six, as amended, to the contrary notwithstanding, the business manager of the school committee of the city of Boston in office on the effective date of this act shall continue to have and exercise all powers and duties conferred or imposed upon said officer, and nothing in this act shall, except as specifically provided, be deemed to affect in any manner the powers, duties, privileges, including civil service rights, and obligations of said business manager or of any officer or employee in his office upon said effective date.

SECTION 4. Nothing in this act shall be deemed to affect the terms of office of the superintendent of schools, the assistant superintendents of schools and the members of the board of superintendents of said city of Boston in office on its effective date.

Approved June 10, 1946.

AN ACT ESTABLISHING THE SALARIES OF THE JUSTICE AND THE CLERK OF THE DISTRICT COURT OF NEWBURYPORT. Chap. 498

Be it enacted, etc., as follows:

SECTION 1. Section seventy-six of chapter two hundred and eighteen of the General Laws, as most recently amended by chapter four hundred and fifty-three of the acts of the current year, is hereby further amended by adding at the end the following:—; district court of Newburyport, three thousand dollars,—so as to read as follows:—*Section 76.* The salary of the justice of the Boston juvenile court shall be five thousand dollars, and that of the clerk of said court an amount equal to seventy-five per cent of the salary of the justice. The salary of the justice of the municipal court of the South Boston district shall be fifty-six hundred dollars, the salary of the justice of the municipal court of the Brighton district shall be fifty-six hundred dollars and the salary of the justice of the municipal court of the Charlestown district shall be forty-five hundred dollars. The salaries of the justices of the following district courts shall severally be as follows: First district court of Barnstable, twenty-seven hundred dollars; second district court of Essex, twenty-four hundred dollars; second district court of Plymouth, thirty-two hundred dollars; third district court of Plymouth, twenty-five hundred dollars; fourth district court of Plymouth, twenty-five hundred dollars; district court of Peabody, three thousand dollars; district court of eastern Hampshire, twenty-one hundred dollars; district court of Newburyport, three thousand dollars.

G. L. (Ter. Ed.), 218, § 76, etc., amended.

Salaries of justices and clerks of certain district courts.

G. L. (Ter.
Ed.), 218,
§ 80, etc.,
amended.

Salaries of
clerks of
certain dis-
trict courts.

SECTION 2. Section eighty of said chapter two hundred and eighteen, as most recently amended by section three of chapter four hundred and forty-seven of the acts of nineteen hundred and forty-one, is hereby further amended by inserting, in the fourth line, after the word "Hampshire" the words:—, the district court of Newburyport, — so as to read as follows:— *Section 80.* The salaries of the clerks of the first district court of Barnstable, the second district court of Essex, the district court of Peabody, the district court of eastern Hampshire, the district court of Newburyport, and the second, third and fourth district courts of Plymouth shall be equal to seventy-five per cent of the salaries established for the justices of their respective courts.

Approved June 10, 1946.

Chap.499 AN ACT PROVIDING THAT ADDITIONAL FACILITIES SHALL BE MADE AVAILABLE AT THE WALTER E. FERNALD SCHOOL FOR THE CARE OF THE FEEBLE-MINDED BLIND.

Be it enacted, etc., as follows:

For the purpose of providing accommodations for feeble-minded blind persons in the commonwealth, the commissioner of mental health, with the approval of the governor and council, is hereby authorized to have plans prepared and to construct two additions to the Walter E. Fernald School at Waverley, and for said purpose said department may expend such sums as may be appropriated therefor.

Approved June 10, 1946.

Chap.500 AN ACT PROVIDING FOR THE CONSTRUCTION OF CERTAIN BUILDINGS AT THE MASSACHUSETTS STATE COLLEGE.

Be it enacted, etc., as follows:

The trustees of the Massachusetts State College are hereby authorized to construct a physics building and a disease control laboratory at said college. For said purposes, said trustees may expend such sums as may hereafter be appropriated therefor.

Approved June 10, 1946.

Chap.501 AN ACT AUTHORIZING AND REGULATING BONDS TO COVER THE RISK OF DAMAGES FROM BLASTING WHEN THE BLASTING OPERATIONS ARE CONDUCTED IN MORE THAN ONE CITY OR TOWN.

Be it enacted, etc., as follows:

Chapter one hundred and forty-eight of the General Laws is hereby amended by inserting after section twenty, as appearing in the Tercentenary Edition, the following section:— *Section 20A.* If the applicant for a permit to use an explosive in the blasting of rock or any other substance desires to conduct blasting operations in more than one city or town in the commonwealth he may, instead of filing a

G. L. (Ter.
Ed.), 148,
new § 20A,
added.

Blasting
bonds.

bond with the clerk of each city or town in which such operations are to be conducted, file a bond with the state treasurer in the penal sum of twenty thousand dollars, running to the commonwealth, with sureties approved by the state treasurer, and for such additional penal sum as the marshal shall determine to be necessary to cover the losses, damages or injuries that might ensue to persons or property by reason thereof. The provisions of sections nineteen and twenty shall apply to said bond and actions thereon so far as applicable.

Approved June 10, 1946.

AN ACT GRANTING A CREDIT TO THE EXAMINATION STANDING OF CERTAIN VETERANS APPLYING FOR PLUMBERS' LICENSES. *Chap. 502*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make possible the granting of an additional credit to the examination standing of certain applicants for plumbers' licenses, which applicants have served in the armed forces of the United States in time of war, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section four of chapter one hundred and forty-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter.
Ed.), 142, § 4,
amended.

They shall grant a credit of five per cent to the examination standing of each applicant who has served in the army or navy of the United States in time of war and has been honorably discharged or released from active duty; provided, that such applicants make application within one year of their discharge or release as aforesaid or within one year of the effective date of this paragraph, whichever date is the latest.

Plumbers'
licenses.
Credits to
certain
veterans.

Approved June 11, 1946.

AN ACT GRANTING TO THE SOUTH SAGAMORE WATER DISTRICT IN THE TOWN OF BOURNE AN EASEMENT IN CERTAIN STATE-OWNED LAND FOR THE CONSTRUCTION AND MAINTENANCE OF ITS WATER DISTRIBUTION WORKS. *Chap. 503*

Be it enacted, etc., as follows:

SECTION 1. The commissioner of conservation, acting for and in behalf of the commonwealth, may, from time to time, subject to the approval of the governor and council, and by instrument or instruments approved as to form by the attorney general, convey to the South Sagamore Water District in the town of Bourne any interest less than a fee in lands belonging to the commonwealth within the boundaries of said water district, under such terms and conditions as said commissioner shall determine, for use for the construction,

extension or maintenance of its water works system; provided, that no such lands shall be so used without the approval of the state department of public health; and provided, further, that said works shall be constructed and maintained in accordance with plans so approved.

SECTION 2. This act shall take effect upon its passage.

Approved June 11, 1946.

Chap. 504 AN ACT RELATIVE TO THE LAYING OF CERTAIN WATER MAINS BY THE BOARD OF WATER COMMISSIONERS IN THE TOWN OF WILLIAMSTOWN, AND AUTHORIZING THE PURCHASE OF CERTAIN EXISTING WATER MAINS BY SAID BOARD.

Be it enacted, etc., as follows:

SECTION 1. The board of water commissioners in the town of Williamstown, hereinafter referred to as the board, is hereby authorized to lay water mains in such private ways within the limits of said town as are laid out by the owners of such ways for use in connection with housing projects undertaken by them.

SECTION 2. Owners of such private ways may apply to the board for the laying therein of water mains and such an application shall contain such information, including plans, as the board may require. Upon receipt of an application hereunder, the board shall make an estimate of the cost of the work to be done by it and shall notify the applicant of the amount of such estimate. Thereupon the applicant shall pay the amount of the estimate to the town treasurer of said town, who shall hold the same in a separate account and pay therefrom the cost of the work as certified to him from time to time by the board. In case the cost of such work exceeds the cost estimated by the board, the work shall cease until the additional cost has been estimated by the board and the amount thereof has been paid to said town treasurer, which additional amount shall be held and used in the same manner as the amount paid on the original estimate. No work shall be done by the board hereunder until the payments due from the applicant have been paid to said town treasurer, nor until the applicant has granted to the said town such easements and other rights as may be necessary in carrying out the purposes of this act. In case the cost of the work is less than the cost estimated by the board, the difference shall be refunded to the applicant.

SECTION 3. After the completion of the work of laying water mains in any private way as provided by this act, said town, acting by and through the board, shall refund to the owner of such way the money paid by him to the town treasurer, less any sum refunded to him under section two, at the rate of one hundred dollars for each dwelling erected by such owner on land adjoining such way and connected with the water main so laid; provided, that no refunds hereunder shall be made in the case of dwellings erected and so

connected after the expiration of ten years from the completion of the water main with which they are connected. Said town may appropriate from the income of the water works thereof such sums of money as may be necessary to make such refunds.

SECTION 4. The board, subject to appropriation from the income of the water works of said town, may purchase from Horace Haley, at a price not exceeding two thousand dollars, water mains laid in any private way in said town by said Haley prior to the effective date of this act; provided, that such purchase shall not be made until said Haley has granted to the town such easements and other rights as may be necessary for the maintenance by the town of such water mains.

SECTION 5. This act shall take effect upon its passage.
Approved June 11, 1946.

AN ACT TO AUTHORIZE THE TOWN OF MILLBURY TO BORROW MONEY IN EXCESS OF THE STATUTORY LIMIT FOR THE PURPOSE OF ACQUIRING LAND AND BUILDING, EQUIPPING AND FURNISHING A SCHOOL BUILDING. Chap.505

Be it enacted, etc., as follows:

SECTION 1. For the purposes of acquiring land and constructing thereon a school building, and of originally equipping and furnishing such building, the town of Millbury may borrow from time to time, within a period of four years from the passage of this act, such sums of money as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Millbury School Loan, Act of 1946. Each authorized issue shall constitute a separate loan and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit and shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.
Approved June 11, 1946.

AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL CERTAIN PROPERTY OF THE COMMONWEALTH IN THE CITY OF NORTHAMPTON. Chap.506

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize without delay the sale of a certain parcel of state-owned land at the Northampton state hospital that is no longer needed for the purposes of said hospital, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized to sell to the highest bidder at a public sale, but at a price not less than the assessed valuation thereof, a parcel of state land of approximately twenty-four acres located at the Northampton state hospital and no longer needed for the purposes of said hospital. Such sale shall be subject to such conditions and restrictions as may seem advisable to the commissioner.

Approved June 11, 1946.

Chap. 507 AN ACT REVISING THE DEFINITION OF CERTAIN TERMS AND PHRASES RELATING TO AERONAUTICS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 90,
§ 35, etc.,
amended.

Definitions.

Chapter ninety of the General Laws is hereby amended by striking out section thirty-five, as amended, and inserting in place thereof the following section:— *Section 35.* The following words and phrases used in sections thirty-five to fifty-two, inclusive, shall have the following meanings, unless a different meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the general court:—

(a) "Aeronautics", transportation by aircraft; the operation, construction, repair or maintenance of aircraft, aircraft power plants and accessories; the repair, packing and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair or maintenance of airports, restricted landing areas or other air navigation facilities; and instruction in flying or ground subjects pertaining thereto.

(b) "Aircraft", any contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air.

(c) "Public aircraft", an aircraft used exclusively in the service of any government or of any political subdivision thereof, including the government of any state, territory or possession of the United States, or the District of Columbia, but not including any government-owned aircraft engaged in carrying persons or property for commercial purposes.

(d) "Civil aircraft", any aircraft other than a public aircraft.

(e) "Airport", any area of land or water other than a restricted landing area, which is used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

(f) "Restricted landing area", any area of land or water other than an airport which is used, or is made available, for the landing and take-off of aircraft; provided, that the use of such an area may be restricted from time to time by the commission.

(g) "Airport hazard", any structure, object of natural growth, or use of land which obstructs the air space required for the flight of aircraft in landing or taking off at an airport or restricted landing area, or is otherwise hazardous to such landing or taking off.

(h) "Air navigation facility", any facility, other than one owned or controlled by the federal government, used in, available for use in, or designed for use in, aid of air navigation, including airports, restricted landing areas, and any structures, mechanisms, lights, beacons, markers, communicating systems, or other instrumentalities, or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking off, navigation and landing of aircraft, or the safe and efficient operation or maintenance of an airport or restricted landing area, and any combination of any or all of such facilities.

(i) "Airman", any person who engages, as the person in command, or as pilot, mechanic or member of the crew, in the navigation of aircraft while under way, and any person who is directly in charge of the inspection, maintenance, overhauling or repair of aircraft engines, propellers or appliances, and any person who serves in the capacity of aircraft dispatcher or air-traffic control-tower operator; but does not include any person employed outside the United States, or any person employed by a manufacturer of aircraft, aircraft engines, propellers or appliances, to perform duties as inspector or mechanic in connection therewith, or any person performing inspection or mechanical duties in connection with aircraft owned or operated by him.

(j) "Operation of aircraft" or "operate aircraft", the use, navigation or piloting of aircraft in the air space over this commonwealth or upon any airport within this commonwealth. Any person who causes or authorizes the operation of aircraft, whether with or without the right of legal control, in the capacity of owner, lessee or otherwise, of the aircraft, shall be deemed to be engaged in the operation of aircraft.

(k) "Aeronautics instructor", any person who for hire or reward engages in giving instructions or offering to give instruction in flying or ground subjects pertaining thereto; but does not include any instructor in a public school, university or institution of higher learning duly accredited and approved for carrying on collegiate work, who instructs in flying, or ground subjects pertaining thereto, only in the performance of his duties at such school, university or institution.

(l) "Air school", (1) any aeronautics instructor who advertises, represents or holds himself out as giving or offering to give instruction in flying or ground subjects pertaining thereto; and (2) any person who advertises, represents or holds himself out as giving or offering to give instruction in flying or ground subjects pertaining thereto, whether for or without hire or reward; but does not include any public school or university or institution of higher learning duly accredited and approved for carrying on collegiate work.

(m) "Commission", the Massachusetts aeronautics commission.

(n) "Director", the director of aeronautics employed by the commission.

(o) "Person", any individual, firm, partnership, corporation, company, association, joint stock association; and includes any trustee, receiver, assignee or other similar representative thereof.

Approved June 11, 1946.

Chap. 508 AN ACT FURTHER REGULATING THE EFFECT UPON THE TAXATION OF INSURANCE COMPANIES OF THE REINSURANCE OF RISKS THEREBY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 175, § 20, etc., amended.

Section twenty of chapter one hundred and seventy-five of the General Laws, as amended by chapter three hundred and forty-three of the acts of nineteen hundred and forty-one, is hereby further amended by striking out, in the sixth and seventh lines, as appearing in the Tercentenary Edition, the words "reduce the taxes to be paid by the ceding company, nor, if a life company, shall it", — and in the eighth line, as so appearing, by striking out the word "it" and inserting in place thereof the words: — a life company, — so that the first sentence of the second paragraph will read as follows: — Such reinsurance shall not reduce the reserve to be charged to a life company, unless effected with a company authorized to issue policies in the commonwealth covering risks of the same kinds as those reinsured, or with a company incorporated or formed to reinsure and authorized to reinsure in the commonwealth risks of the same kinds as those reinsured.

Reinsurance.

Approved June 11, 1946.

Chap. 509 AN ACT INCREASING THE MEMBERSHIP OF THE INDUSTRIAL ACCIDENT BOARD.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 24, § 2, amended.

SECTION 1. Section two of chapter twenty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the first line, the word "seven" and inserting in place thereof the word: — nine, — so as to read as follows: — *Section 2.* The industrial accident board shall consist of nine members, one of whom shall be a woman, at such salaries, not exceeding six thousand dollars each, as the governor and council determine, except that the chairman, who shall be designated by the governor, shall receive such salary, not exceeding sixty-five hundred dollars, as the governor and council determine. Upon the expiration of the term of office of a member, his successor shall be appointed for five years by the governor, with the advice and consent of the council. The members shall devote their whole time in business hours to the work of the board.

Industrial accident board.

SECTION 2. The two additional members of the industrial accident board provided for by this act shall be appointed by the governor, with the advice and consent of the council, for terms of five years each. *Approved June 11, 1946.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 19, 1946.

Honorable FREDERIC W. COOK, *Secretary of the Commonwealth,
State House, Boston, Massachusetts.*

SIR: — I, Maurice J. Tobin, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures", do declare that in my opinion, the immediate preservation of the public convenience requires that the law passed on the 11th day of June, entitled, "An Act Increasing the Membership of the Industrial Accident Board" should take effect forthwith and that it is an emergency law and that the facts constituting the emergency are as follows:

The volume of claims presented to the Department of Industrial Accidents has increased heavily and is constantly increasing. As a result working men and women must wait an unreasonable length of time for a determination of their claims and the payment of compensation. To avoid hardship consequent to these delays it is necessary that the legislation providing two additional members of the Industrial Accident Board be made effective immediately.

Very truly yours,

MAURICE J. TOBIN,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, June 19, 1946.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at one o'clock and thirty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter five hundred and nine of the acts of nineteen hundred and forty-six.

PAUL D. HOWARD,
Deputy Secretary of the Commonwealth.

AN ACT PROVIDING FOR THE ACQUISITION BY THE COMMONWEALTH OF CERTAIN PROPERTIES IN THE TOWNS OF OAK BLUFFS AND EDGARTOWN FOR PUBLIC BEACH PURPOSES. *Chap. 510*

Be it enacted, etc., as follows:

SECTION 1. After an appropriation therefor has been made, the commissioner of conservation on behalf of the commonwealth may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, and at a total cost to the commonwealth of not more than thirty-eight thousand dollars, approximately

one hundred acres of land situated in the towns of Oak Bluffs and Edgartown, bounded and described as follows:

In Oak Bluffs.

Parcel A. Beginning at south end of sea wall at south end of Seaview avenue, Oak Bluffs; thence running southerly along shore of Nantucket sound nine hundred and fifty feet to a point fifty feet north of the north jetty of entrance to Harthaven harbor; thence running westerly in a line fifty feet north of said jetty and parallel to it two hundred and sixty feet to a point opposite the west end of wooden bulkhead; thence on a line northwesterly four hundred and seventy-seven feet to the state highway and right angle to it; thence along easterly line of said highway one thousand feet to place of beginning. Containing four and one half acres, more or less.

Parcel B. Beginning at a point on east side of the state highway two hundred feet south of south jetty of new entrance to Sengekontacket pond; thence running easterly on a line parallel and two hundred feet from said jetty to Nantucket sound; thence southerly along shore of Nantucket sound to old entrance to Sengekontacket pond; thence southwesterly to east line of the state highway; thence northerly six thousand two hundred feet to point of beginning. Containing nineteen acres, more or less.

Parcel C. Beginning at a point on the west side of the state highway two hundred feet south of the south jetty of the new entrance to Sengekontacket pond; thence running westerly on a line parallel and two hundred feet from said jetty to said pond; thence running southeasterly by said pond to the old entrance to the same; thence easterly to the west line of the state highway; thence northerly by the highway to the point of beginning. Containing twenty-three acres, more or less.

In Edgartown.

Parcel D. Beginning at a point on the east side of the state highway and in the south line of the old entrance to Sengekontacket pond, and running thence easterly to Nantucket sound; thence southeasterly along shore of Nantucket sound to the north boundary of the Edgartown town beach; thence westerly by said town beach north line to the state highway; thence by the highway about four thousand five hundred and fifty-three feet to a point of beginning. Containing ten acres, more or less.

Parcel E. Beginning at the southerly end of Sengekontacket pond at point of outlet to Trapps pond; thence northeasterly to the west line of the state highway; thence by said highway northwesterly to the old entrance to said pond; thence westerly by said old entrance to the pond; thence southeasterly by the pond to the point of beginning. Containing forty-seven acres, more or less.

SECTION 2. All acquisition of property hereunder bounding on Nantucket sound and Sengekontacket pond shall extend to extreme low water.

SECTION 3. The county commissioners of the county of Dukes are hereby authorized and directed to manage and maintain all property acquired hereunder, and the cost of said management and maintenance shall be borne by said county.

SECTION 4. No rule or regulation made by said county commissioners shall prohibit farmers from taking therefrom kelp, commonly known as seaweed, or from operating vehicles thereon for the purpose of removing the seaweed.

Approved June 11, 1946.

AN ACT PROVIDING FOR THE CONSTRUCTION BY THE DEPARTMENT OF PUBLIC HEALTH IN THE MIDDLESEX FELS RESERVATION OF A HOSPITAL FOR THE CARE OF PERSONS SUFFERING FROM CHRONIC DISEASES.

Chap.511

Be it enacted, etc., as follows:

The department of public health is hereby authorized and directed to construct on land owned by the commonwealth in the Stoneham section of the Middlesex Fells reservation an eight hundred bed hospital for the care of persons suffering from chronic diseases. For the purpose of such construction, said department may expend such sums as may hereafter be appropriated therefor.

Approved June 11, 1946.

AN ACT RELATIVE TO THE COMPENSATION OF THE CLERKS AND ASSISTANT CLERKS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Chap.512

Be it enacted, etc., as follows:

SECTION 1. Chapter thirty-five of the General Laws is hereby amended by striking out section forty-nine, as most recently amended by section one of chapter two hundred and sixty-two of the acts of the current year, and inserting in place thereof the following: — *Section 49.* Every office and position whereof the salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, excluding the offices of county commissioners, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk, justices and special justices of the district courts, the messenger of the superior court in the county of Suffolk, clerks and assistant clerks of the district courts other than the clerks and assistant clerks of district courts in the county of Suffolk except the municipal court of the city of Boston, and other than the clerks and assistant clerks of the central district court of Worcester, and excluding trial justices, other offices and positions filled by appointment of the governor with the advice and consent of the council, court officers appointed in Suffolk county under section seventy of chapter two hundred

G. L. (Ter. Ed.), 35, § 49, etc., amended.

Classification of salaries of certain county officers.

and twenty-one, court officers in attendance upon the municipal court of the city of Boston, and probation officers, but including the officer described in the first sentence of section seventy-six of said chapter two hundred and twenty-one, shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification. Offices and positions in the service of any department, board, school or hospital principally supported by the funds of the county or counties, or in the service of a hospital district established under sections seventy-eight to ninety-one, inclusive, of chapter one hundred and eleven, shall likewise be subject to classification as aforesaid. The word "salary", as used in this section, shall include compensation, however payable; but nothing in sections forty-eight to fifty-six, inclusive, and nothing done under authority thereof, shall prevent any person from continuing to receive from a county such compensation as is fixed under authority of other provisions of law or as is expressly established by law.

G. L. (Ter. Ed.), 218, new § 75A, added.

Salaries of clerks and assistants of municipal court of the city of Boston.

SECTION 2. Chapter two hundred and eighteen of the General Laws is hereby amended by inserting after section seventy-five the following new section: — *Section 75A.* The salaries of the clerk and assistant clerks of the municipal court of the city of Boston, for civil and for criminal business, shall be as follows: clerks, seventy-five per cent of the salary of the chief justice of said court; first assistant clerks, seventy per cent of the salary of the clerk; other assistant clerks, sixty per cent of the salary of the clerk.

Effective date.

SECTION 3. This act shall take effect on July first in the current year.

Approved June 11, 1946.

Chap. 513 AN ACT AUTHORIZING THE CONSTRUCTION IN THE CITY OF MEDFORD OF A TRAFFIC CIRCLE AND AN EXTENSION OF THE MYSTIC VALLEY PARKWAY.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to lay out and construct over public and private lands and ways, in the city of Medford, under the provisions of chapter ninety-two of the General Laws, except as otherwise provided in this act, a traffic circle near the junction or intersection of the Mystic Valley parkway, constructed under chapter four hundred and fifty of the acts of nineteen hundred and thirty-one and amendments thereto, Mystic avenue, Harvard street and the extension of the Mystic Valley parkway, authorized by section two of this act, at an estimated cost of ninety thousand dollars.

SECTION 2. Said commission is hereby also authorized and directed to construct, and thereafter to maintain as a boulevard, an extension of the Mystic Valley parkway in

said Medford, from a point at or near Mystic avenue to the traffic circle authorized by section one, largely over land now under the control of the commission, at an estimated cost of one hundred and ten thousand dollars.

SECTION 3. The commission may, on behalf of the commonwealth, take by eminent domain, under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such public or private lands, public parks or reservations, or parts thereof or rights therein, or public ways, as it may deem necessary for carrying out the provisions of sections one and two, including such land or rights in land as may be necessary for the construction of any necessary drainage outlets; provided, that no damages shall be paid for public lands, parks, parkways, reservations or public ways so taken.

SECTION 4. The cost of laying out and constructing said circle and said extension, and the land takings for the same, including any damages awarded or paid on account of any taking of land or property therefor, or any injury to the same, and any sums so paid for lands or rights purchased, including also all other expenses incurred in carrying out the provisions of sections one and two, shall be deemed to be the cost of the work therein authorized.

SECTION 5. One half of the cost of the work authorized by section one shall be paid by the municipalities of the metropolitan parks district in proportion to the respective taxable valuations of said municipalities, as defined by section fifty-nine of chapter ninety-two of the General Laws; and the balance shall be paid from the Highway Fund. One quarter of the cost of the work authorized by section two shall be paid by the city of Medford, and the balance shall be paid by the municipalities of the metropolitan parks district, including Medford, in proportion to the respective taxable valuations of said municipalities as defined by said section fifty-nine. So much of the cost of the work as is to be paid ultimately by the city of Medford, or by certain cities and towns as members of the metropolitan parks district, shall, when said work is completed and the cost thereof ascertained, be assessed and collected by the state treasurer, as required by law and within the time therein prescribed, after the commission has filed with the state treasurer a certificate stating the cost of the work and the amount due from said city or town.

SECTION 6. When the work authorized under sections one, two and three shall have been completed, the structures and ways shall become a boulevard of the metropolitan parks district, and shall be kept in good condition and repair by the metropolitan district commission.

SECTION 7. This act shall take effect upon its passage.

Approved June 11, 1946.

Chap. 514 AN ACT RELATIVE TO CERTAIN LIENS UPON MERCHANDISE.

Emergency
preamble.

Whereas, The deferred operation of this act would tend in part to defeat its purpose, which is to immediately correct a common misinterpretation of the law of the commonwealth which is amended thereby, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 255,
§ 40, etc.,
amended.

Certain
terms
defined.

SECTION 1. Section forty of chapter two hundred and fifty-five of the General Laws, inserted by chapter two hundred and eighty-five of the acts of nineteen hundred and forty-five, is hereby amended by striking out, in the third line, the comma and inserting in place thereof the word: — or, — so as to read as follows: — *Section 40.* Wherever used in sections forty-one to forty-seven, inclusive, the term “merchandise” shall mean materials or goods in process and finished goods intended for sale, whether or not requiring further manufacturing or processing, but shall not include machinery, equipment or other trade fixtures of the borrower; the terms “factor” and “factors”, wherever so used, shall mean persons, firms, banks and corporations and their successors in interest who advance money on the security of merchandise, whether or not they are employed to sell such merchandise; and the term “borrower”, wherever so used, shall mean the owner of merchandise, or his agent, who creates a lien in favor of a factor.

G. L. (Ter.
Ed.), 255,
§ 41, etc.,
amended.

Factors’
liens.

SECTION 2. Section forty-one of said chapter two hundred and fifty-five, as so inserted, is hereby amended by inserting after the word “placed” in the twenty-sixth line the following: —, and thereafter during the term of such recorded lien there shall be maintained, — so that the first paragraph will read as follows: — If so provided by any written agreement with the borrower, a factor shall have a lien upon such merchandise of the borrower as is from time to time after the execution of said written agreement designated in one or more separate written statements dated and signed by the borrower and delivered to the factor, without such merchandise being taken into the constructive or actual possession or custody of the factor or of a third person for the account of the factor, and such lien shall secure the factor for all his loans and advances to or for the account of the borrower, together with interest thereon, and also for the commissions, obligations, indebtedness, charges and expenses properly chargeable against or due from said borrower and for the amounts due or owing upon any notes or other obligations given to or received by the factor for or upon account of any such loans or advances, interest, commissions, obligations, indebtedness, charges and expenses. Such lien shall be valid from the time of filing the notice hereinafter and in sections forty-two to forty-seven, inclusive, referred to, whether such merchandise shall be in existence at the time of the execution

of the written agreement providing for the creation of the lien or at the time of filing such notice or shall come into existence subsequently thereto or shall subsequently thereto be acquired by the borrower; provided, that within the time limited in section forty-two for the recording of the notice of lien there shall be placed, and thereafter during the term of such recorded lien there shall be maintained, on the door of, or in a conspicuous place at, one of the principal entrances of the place of business at which such merchandise shall be located, kept or stored, the name of the factor in legible lettering in the English language and a designation of said factor as factor; and provided, further, that a notice of the lien is filed as provided in section forty-two stating:

Approved June 11, 1946.

AN ACT PROVIDING FOR THE COMPLETION OF THE AQUEDUCT OF THE METROPOLITAN WATER DISTRICT FROM THE CHARLES RIVER TO CHESTNUT HILL AND APPURTENANT WORKS INCLUDING A DISTRIBUTING RESERVOIR AND PROVIDING FOR INCREASED COSTS THEREOF. Chap. 515

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred and sixty of the acts of nineteen hundred and thirty-eight, as amended by section one of chapter five hundred and one thereof, is hereby further amended by adding after the word "pollution" in the twenty-fifth line the words: — including extensions of the district's Rutland-Holden trunk sewer to receive the sewage from collecting works to be constructed in the towns of Boylston and West Boylston, — and by inserting after the word "pressure" in the thirty-ninth line the words: — including a distributing reservoir on the southern high service in the city of Quincy, the reconstruction of existing distributing reservoirs and their appurtenant connections to adapt them to the proposed new pressure conditions, any pumping stations or connections required to supply the city of Newton and the town of Brookline, and any supply mains, pumping stations or appurtenant works that may be necessary or advisable in addition to those paid for by new member towns upon admission to the water district, — so that the first paragraph will read as follows: — The metropolitan district water supply commission, established under chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six, hereinafter called the commission, is hereby authorized, for the purpose of improving the distribution of water from the sources of supply to the metropolitan water district and more adequately preventing pollution of the sources of water supply of said district, to construct forthwith: (1) a pressure aqueduct from a point on the Wachusett aqueduct of said district at or near the terminal chamber, so-called, in the city of Marlborough, to a point on the Weston aqueduct of said district near its

Sudbury dam in the town of Southborough; (2) additional pipe lines to supplement existing lines in the two Weston aqueduct siphons, so-called, in the towns of Framingham and Wayland; (3) a pressure aqueduct from a point on said Weston aqueduct at or near the terminal chamber, so-called, in the town of Weston, to a point near the Chestnut Hill pumping station in the city of Boston; (4) a pipe line from the Spot Pond south gatehouse, so-called, in the city of Medford, to the Spot Pond pumping station in the town of Stoneham; (5) such other works as may be necessary or desirable to deliver the entire regular supply of the district from its Wachusett reservoir directly to the district, to eliminate from the watersheds of the district all sources of pollution including extensions of the district's Rutland-Holden trunk sewer to receive the sewage from collecting works to be constructed in the towns of Boylston and West Boylston, and to eliminate from regular use its Sudbury water supply system and its Chestnut Hill and Spot Pond distributing reservoirs; (6) an additional pressure aqueduct between the two aforesaid pressure aqueducts, which three pressure aqueducts will constitute a single continuous pressure aqueduct from said point on the Wachusett aqueduct at or near the terminal chamber to said point near the Chestnut Hill pumping station; (7) a high level distributing reservoir with connections to said continuous pressure aqueduct; (8) an enlargement of the Middlesex Fells distributing reservoir of the district; (9) an enlargement of the Waban Hill distributing reservoir of the district; and (10) such other works as may be necessary or desirable to deliver the entire regular supply of the district under increased pressure including a distributing reservoir on the southern high service in the city of Quincy, the reconstruction of existing distributing reservoirs and their appurtenant connections to adapt them to the proposed new pressure conditions, any pumping stations or connections required to supply the city of Newton and the town of Brookline, and any supply mains, pumping stations or appurtenant works that may be necessary or advisable in addition to those paid for by new member towns upon admission to the water district.

SECTION 2. The metropolitan district water supply commission established under chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six, hereinafter called the commission, is hereby authorized, in the construction of works as provided by said chapter three hundred and seventy-five, by chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, and by said chapters four hundred and sixty and five hundred and one as herein amended, to expend in addition to the funds provided by said chapters such amounts, not exceeding, in the aggregate, ten million dollars, as may from time to time be approved by the governor and council, said aggregate amount being an addition to the loans authorized by section eight of said chapter three hundred and

seventy-five and section twenty-seven of said chapter three hundred and twenty-one. All bonds hereafter issued under authorization of said chapters three hundred and seventy-five, three hundred and twenty-one, four hundred and sixty and five hundred and one, as hereby amended, shall carry such rates of interest as the state treasurer, with the approval of the governor, may fix, shall be issued for such maximum terms of years, not exceeding fifty years from the date of each issue, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the amendments to the constitution of the commonwealth, and shall be payable serially in such amounts and at such times as the state treasurer with like approval may determine.

Approved June 11, 1946.

AN ACT PROVIDING FOR THE CONSTRUCTION BY THE DEPARTMENT OF PUBLIC WORKS OF CERTAIN RECREATION AREAS IN THE EAST BOSTON DISTRICT OF THE CITY OF BOSTON. Chap. 516

Be it enacted, etc., as follows:

The department of public works, in carrying out the duties imposed upon it by section three of chapter three hundred and eighty-three of the acts of nineteen hundred and forty-five and subject to the provisions of said section three relative to the making of an agreement by said department and the city of Boston, is hereby authorized and directed to construct a recreation area in the so-called airport approach exchange near Porter street in the East Boston district of the city of Boston, as recommended by the state planning board in its special report to the general court, printed as current house document numbered sixteen hundred and four, and is hereby further authorized and directed to construct in said East Boston district the recreation area recommended by said planning board in its said report and referred to therein as "Scheme C". For the purpose of carrying out the provisions of this act, said department may expend sums not exceeding, in the aggregate, one million three hundred thousand dollars, which shall be paid from the funds provided by section four of said chapter three hundred and eighty-three. Said recreation areas shall, upon their completion, be maintained by the park department of the city of Boston.

Approved June 11, 1946.

AN ACT REGULATING THE LABELLING OF PREPARATIONS CONTAINING DDT, SO CALLED, AND OF CERTAIN OTHER PREPARATIONS DEEMED TO BE POISONOUS, TOXIC OR DANGEROUS TO THE PUBLIC HEALTH. Chap. 517

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and seventy of the General Laws is hereby amended by inserting after section two A, as appearing in the Tercentenary Edition, the follow-

G. L. (Ter.
Ed.), 270,
new § 2B,
added.

Labelling of preparations for sale, that are dangerous to public health.

ing section: — *Section 2B.* No person shall manufacture, distribute, sell, exchange, deliver, or have in his possession with intent to distribute, sell, exchange or deliver, any preparation containing dichloro-diphenyl-trichloroethane, hereinafter referred to as DDT, unless each bottle, can, package or other container designed for consumer use containing such preparation is plainly labelled as herein provided. The label shall include on its most prominent face a correct statement of the percentage of DDT contained in such preparation, printed in the English language in conspicuous and easily legible type, and the percentage figures shall accompany, in type of equal size, the initials DDT wherever the same appear in greatest prominence on such label; provided, that, if the DDT content of such preparation is greater than one per cent, the statement “ per cent DDT”, with the correct percentage appearing therein, shall be printed on the most prominent face of the label in type not less than three sixteenths of an inch in height. Such label shall further include the word “Caution” in conspicuous type, followed by statements and warnings in the English language as to the toxicity of the preparation if inhaled or if brought into contact with the skin of man or animals, together with directions for removal of the same from the skin in case of accidental contact. The label shall also include instructions in the English language relative to the prevention of contamination of foodstuffs by such preparation.

The department of public health is hereby authorized to adopt regulations, consistent with regulations adopted under any federal law pertaining to the distribution and sale of such preparations in interstate commerce, and to amend or annul the same from time to time, prescribing additional labelling requirements for preparations containing DDT. Said department is hereby further authorized to prescribe regulations for the labelling of other preparations for the destruction of pests or vermin deemed by it to be poisonous, toxic or dangerous to the public health and not specifically mentioned in this section or in section two, and such regulations shall be consistent with regulations adopted under any federal law pertaining to the distribution and sale of such preparations in interstate commerce.

Whoever manufactures, distributes, sells, exchanges, delivers, or has in his possession with intent to distribute, sell, exchange or deliver, any preparation containing DDT not labelled as provided herein, or any other preparation for the destruction of pests or vermin deemed by said department to be poisonous, toxic or dangerous to the public health as provided herein not labelled as required by the regulations of said department, shall be punished by a fine of not more than fifty dollars.

Effective date.

SECTION 2. This act shall take effect on January first, nineteen hundred and forty-seven.

Approved June 11, 1946.

AN ACT TO DISSOLVE BOSTON RAILROAD HOLDING COMPANY. *Chap. 518*

Whereas, The deferred operation of this act would in part tend to defeat its purpose, which is to make immediately effective the termination of the corporate existence of the corporation therein referred to, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Boston Railroad Holding Company, organized under chapter five hundred and nineteen of the acts of nineteen hundred and nine, as amended, is hereby dissolved and its corporate existence is hereby terminated and annulled, subject to the provisions of section fifty-one of chapter one hundred and fifty-five of the General Laws, and subject to the other provisions hereof; provided, that the applicable provisions of section three of this act shall not apply if the holder of all the common stock of Boston Railroad Holding Company shall, on or before July first nineteen hundred and forty-seven, transfer to Boston and Maine Railroad Company or its nominee, all of such stock; and provided, further, that in the event of such transfer, the holder of a majority of the preferred stock of Boston Railroad Holding Company shall, on or before July first, nineteen hundred and forty-eight, upon the basis of defaults in the payment of semi-annual dividends which have occurred prior to the effective date of this act, apply in person or by attorney to the supreme judicial court for an order for the sale of the stock, bonds, notes or other evidences of indebtedness of Boston and Maine Railroad Company which may, at the time of such application, comprise the assets of Boston Railroad Holding Company, in the manner and as provided in said chapter five hundred and nineteen of the acts of nineteen hundred and nine and chapter six hundred and thirty-nine of the acts of nineteen hundred and ten except as they may be modified by the provisions of this act.

SECTION 2. Nothing in this act shall be construed to affect any suit now pending by or against said corporation or any suits now pending or hereafter brought for any liability now existing against the stockholders or officers of said corporation.

SECTION 3. If the holder of all the common stock of Boston Railroad Holding Company shall not on or before July first nineteen hundred and forty-seven transfer such stock to Boston and Maine Railroad Company or its nominee as provided in section one, or if, such transfer having been made, the holder or holders of a majority of the preferred stock of Boston Railroad Holding Company shall not have petitioned the supreme judicial court on or before July first, nineteen hundred and forty-eight, for an order for the sale of the stock, bonds, notes or other evidences of indebtedness of Boston and Maine Railroad Company in

the manner and subject to the conditions as provided in said chapter five hundred and nineteen of the acts of nineteen hundred and nine and said chapter six hundred and thirty-nine of the acts of nineteen hundred and ten, then and in either of those events the supreme judicial court, upon application of the attorney general on behalf of the commonwealth, or upon application of a creditor or stockholder of Boston Railroad Holding Company, shall appoint a receiver to take charge of the estate and effects of said corporation and to collect the debts and property due and belonging to it, with power to prosecute and defend suits in its name or otherwise, to appoint agents under him and to do all other acts which might be done by said corporation, if in being, which may be necessary for the final settlement of its unfinished business. If such application is not made by the attorney general, the commonwealth shall be made a party to such proceedings. The powers of such receiver and the existence of said corporation may be continued only so long as the court finds necessary for said purposes. Said receiver shall have the right to vote the stock of Boston and Maine Railroad.

SECTION 4. Nothing in this act shall affect the rights of the holders of the publicly held or other preferred stock of Boston Railroad Holding Company, or the lien or liens or priority or priorities, existing in favor of such stock or any thereof. Said receiver shall distribute the assets in accordance with the rights of the respective parties in interest as determined by the court. Said distribution may be made by a sale of the assets of Boston Railroad Holding Company (including stock of Boston and Maine Railroad) and the distribution of cash, or by the distribution of such assets in kind; provided, that no distribution or sale of said stock of Boston and Maine Railroad shall be made pursuant to this act unless there shall have been furnished to the court by the department of public utilities satisfactory evidence showing that no distributee or purchaser (other than Boston and Maine Railroad) shall hold stock carrying more than five per cent of the total vote to which shareholders of Boston and Maine Railroad are then entitled; and provided, further, that no such sale or distribution shall be made before May first, nineteen hundred and forty-eight, except pursuant to a plan of liquidation approved by a majority of each class of stock (including as a separate class the publicly held preferred stock if the court shall determine that such preferred has rights differing from the rights of the other preferred) of Boston Railroad Holding Company, and approved by the court as fair and equitable. A plan of liquidation may be presented by any creditor or stockholder of Boston Railroad Holding Company, or by the receiver, or by the attorney general of the commonwealth.

SECTION 5. Boston Railroad Holding Company is hereby prohibited from borrowing any money for the purpose of acquiring any of its preferred or common stock.

SECTION 6. Nothing in this act shall be construed to relieve the person who was the treasurer or assistant treasurer, or in his absence or incapacity who was any other principal officer, of said corporation from the obligation to make such tax returns in the current year as are required by law, and the tax liability of said corporation shall be determined in accordance with the law of the commonwealth on the effective date of this act. *Approved June 11, 1946.*

AN ACT PLACING IN THE BOARD OF COMMISSIONERS OF THE MASSACHUSETTS MARITIME ACADEMY THE CONTROL OF THE PROPERTY FORMERLY USED FOR THE PURPOSES OF THE STATE TEACHERS COLLEGE AT BARNSTABLE. *Chap. 519*

Be it enacted, etc., as follows:

The board of commissioners of the Massachusetts Maritime Academy shall, on and after the effective date of this act, have control of the property formerly used for the purposes of the state teachers college at Barnstable, and said property shall be used by said board in the carrying out of the duties imposed upon it by law.

Approved June 11, 1946.

AN ACT PROVIDING FOR THE PAYMENT OF ACCUMULATED VACATION ALLOWANCES OF STATE EMPLOYEES UPON DEATH OR SEPARATION FROM SERVICE. *Chap. 520*

Whereas, One of the principal purposes of this act is to extend, without delay, to state employees the benefits provided for therein, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Chapter twenty-nine of the General Laws is hereby amended by inserting after section thirty-one the following section:—*Section 31A.* (a) Upon the death of a state employee who is eligible for vacation under the rules of the commission on administration and finance, payment shall be made in an amount equal to the vacation allowance as earned in the vacation year prior to the employee's death but which had not been granted, and, in addition, that portion of the vacation allowance earned in the vacation year during which the employee died, up to the time of his separation from the payroll; provided, that no monetary or other allowance has already been made therefor. The division of personnel and standardization may, upon request of the appointing officer of the deceased employee, authorize the payment of such compensation upon the establishment of a valid claim therefor, in the following order of precedence:— G. L. (Ter. Ed.), 29, new § 31A, added. Vacation allowance of state employees.

First: To the surviving beneficiary or beneficiaries, if any, lawfully designated by the employee under the state employees' retirement system;

Second: If there be no such designated beneficiary, to the estate of the deceased.

(b) Employees who are eligible for vacation under the rules of said commission on administration and finance whose services terminated by dismissal, through no fault or delinquency of their own, or by retirement, shall be paid an amount equal to the vacation allowance as earned in the vacation year prior to such dismissal or retirement which had not been granted, and, in addition, that portion of the vacation allowance earned in the vacation year during which such dismissal or retirement occurred, up to the time of separation; provided, that no monetary or other allowance has already been made therefor. *Approved June 13, 1946.*

Chap. 521 AN ACT PROVIDING THAT CERTAIN EMPLOYEES ON CERTAIN PUBLIC HIGHWAY BRIDGES DECLARED TO BE STATE HIGHWAYS SHALL BE EMPLOYEES OF THE COMMONWEALTH AND ENTITLED TO CERTAIN BENEFITS.

Emergency
preamble.

Whereas, This act relates to the employment of certain persons on July first of the current year, which date is earlier than ninety days after it becomes a law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. All persons employed on July first, nineteen hundred and forty-six, as lock and draw operators, lock and draw helpers, draw tenders or assistant draw tenders on any bridge, the care, control and maintenance of which is transferred to the state department of public works under the provisions of chapter six hundred and ninety of the acts of nineteen hundred and forty-five, and who were so employed prior to April first in said year and continued to be so employed until said July first, nineteen hundred and forty-six, shall be employees of said state department without impairment of their civil service rights, if any, or their retirement, seniority, vacation or sick leave rights, and in no case shall the salary of any such person be reduced below the amount of his salary on January first, nineteen hundred and forty-six. All such employees who are not subject to the civil service laws shall, upon becoming employees of said state department as aforesaid, become subject to the civil service laws and rules without taking a civil service examination and without serving any probationary period.

SECTION 2. This act shall not apply to persons employed in the operation of the draw bridge over the Broad canal in the city of Cambridge. *Approved June 13, 1946.*

AN ACT INCREASING THE MEMBERSHIP OF THE BOARD OF
STANDARDS BY INCLUDING A LOCAL BUILDING INSPECTOR
AS A MEMBER. Chap. 522

Be it enacted, etc., as follows:

Section thirteen of chapter twenty-two of the General Laws, as most recently amended by section three of chapter seven hundred and twenty-two of the acts of nineteen hundred and forty-five, is hereby further amended by striking out the first and second sentences and inserting in place thereof the two following sentences: — There shall be in the department, but not under the control of the commissioner, a board to be known as the board of standards, which shall consist of the chief of inspections of the department, ex officio, who may designate from time to time an inspector in said department to act temporarily in his stead as a member of such board, with the same powers and duties as other members of the board, and seven members to be appointed by the governor, with the advice and consent of the council, for terms of six years each. One shall be a registered architect, one an inspector of buildings as defined in section one of chapter one hundred and forty-three, one a registered professional engineer, one a contractor, one a representative of the building trade unions, one a safety engineer, and one shall be a representative of owners of buildings subject to chapter one hundred and forty-three or a representative of real estate management organizations having control of buildings subject to said chapter.

G. L. (Ter. Ed.), 22, § 13, etc., amended.

Board of standards.

Approved June 13, 1946.

AN ACT RELATIVE TO STATE AID FOR SNOW REMOVAL UPON
CERTAIN PUBLIC WAYS IN SMALL TOWNS. Chap. 523

Be it enacted, etc., as follows:

Section twenty-six of chapter eighty-one of the General Laws, as amended by chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-four, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 81, § 26, etc., amended.

The cost of snow removal upon such ways in any such town, including amounts paid as rental for trucks and other equipment, and, at hourly rates approved by the department of public works, charges for the use of trucks and other equipment owned by such town, may be paid from the amounts so appropriated and contributed, at the rate of not more than twenty-five dollars per mile.

State aid for snow removal.

Approved June 13, 1946.

AN ACT PROTECTING CERTAIN OFFICERS AND EMPLOYEES OF
THE COMMONWEALTH AGAINST ARBITRARY REMOVAL. Chap. 524

Be it enacted, etc., as follows:

Chapter thirty of the General Laws is hereby amended by inserting after section nine A, inserted by chapter two hun-

G. L. (Ter. Ed.), 30, new § 9B, added.

Protection
against
arbitrary
removal.

dred and sixty-nine of the acts of the current year, the following new section: — *Section 9B.* No person employed in any institution under the department of mental health, public health, public welfare or correction or in the Soldiers' Home in Massachusetts, except an employee, other than a nurse, rendering professional service, who is not classified under chapter thirty-one, and no maintenance employee in any institution under the department of education, shall, after having served satisfactorily for six months in his position, be removed therefrom except for just cause and for reasons specifically given him in writing at least seventy-two hours prior to such removal. If, within three days after the giving of such notice, the person sought to be removed shall so request in writing, he shall be given a hearing, either public or private in accordance with his request, in not less than three nor more than fourteen days after the filing of the request, by the appointing authority whose action affected him as aforesaid, and he shall be allowed to answer the charges preferred against him, either personally or by counsel, and he shall be notified, within three days after the hearing, of the decision of such authority. Upon failure to give the removed employee the requested hearing, such employee shall be forthwith reinstated. A copy of said reasons, notice and answer shall be made a matter of public record in the department in which he is employed. If, within five days after receiving written notice of the decision of the appointing authority, the person so removed shall so request in writing, he shall be given a hearing before an impartial commission of three members to be appointed by the governor. Such hearing shall be commenced in not less than three nor more than ten days, and shall be completed within thirty days after the filing of such request. The impartial commission of three shall have full authority to affirm or reverse the decision of the appointing authority by a majority vote of said commission. The decision of said commission shall be made a matter of public record and shall be final and conclusive upon the parties. If the removal is found to be without just cause, the employee shall be reinstated forthwith without loss of compensation.

Approved June 13, 1946.

Chap. 525 AN ACT RELATIVE TO RETIREMENT OR RESIGNATION OF JUDGES WHO HAVE SERVED IN THE APPELLATE DIVISIONS OF DISTRICT COURTS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32,
§ 65A, etc.,
amended.

Section sixty-five A of chapter thirty-two of the General Laws, as amended by section five of chapter four hundred and fifty-one of the acts of nineteen hundred and thirty-nine, is hereby further amended by adding at the end the following: — A justice of a district court who retires or resigns in accordance with the provisions of this section and

Retirement,
etc., of certain
judges.

who has served continuously for ten years prior to such retirement or resignation in the appellate division of a district court shall, in addition to all other amounts received under the provisions of this section, be entitled to receive a pension for life equal to three fourths of the average annual compensation paid him for such service during the ten years next preceding such retirement or resignation.

Approved June 13, 1946.

AN ACT AUTHORIZING THE APPROPRIATION OF MONEY BY TOWNS FOR AIDING VETERANS AND THEIR DEPENDENTS.

Chap. 526

Be it enacted, etc., as follows:

Section five of chapter forty of the General Laws is hereby amended by striking out clause (11), as most recently amended by section three of chapter three hundred and fifty-eight of the acts of the current year, and inserting in place thereof the following clause:—

G. L. (Ter. Ed.), 40, § 5, etc., amended.

(11) For necessary aid to veterans and their dependents under the provisions of chapter one hundred and fifteen.

Aid to veterans, etc.

Approved June 13, 1946.

AN ACT RELATIVE TO EQUAL PAY FOR MEN AND WOMEN TEACHERS.

Chap. 527

Be it enacted, etc., as follows:

SECTION 1. Section forty of chapter seventy-one of the General Laws, as most recently amended by section one of chapter seven hundred and twenty-seven of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end thereof the two following sentences:— Such equal pay shall not be effected by reducing the pay of men teachers. The provisions of this section relative to equal pay for men and women teachers shall be in force in any city or town which accepts or has accepted provisions relative to equal pay for men and women teachers in any manner from time to time provided by law.

G. L. (Ter. Ed.), 71, § 40, etc., amended.

SECTION 2. The provisions of section forty of said chapter seventy-one, as most recently amended by section one of this act, relative to equal pay for men and women teachers shall be in force only in cities and towns which accept the same as herein provided, in a city by a vote at an annual or biennial city election and in a town by a vote at an annual town election in answer to the following question, which in any municipality using official ballots shall be placed on the official ballot to be used for the election of city or town officers: "Shall the provisions of section forty of chapter seventy-one of the General Laws, as amended, relative to equal pay for men and women teachers be in force in this city (or town)?"

Equal pay for men and women teachers.

Acceptance provisions.

YES.	
NO.	

The provisions of said section forty relative to equal pay for men and women teachers shall be submitted for accept-

ance in each city and town, where the same or similar provisions are not already in force, at the next regular municipal election held after the effective date of this act, and thereafter, upon petition filed with the clerk of a city or town signed either by not less than two thousand registered voters of any such city or town or by not less than two per cent of the total number of registered voters thereof, at any regular election not later than January first, nineteen hundred and fifty.

SECTION 3. Section two of said chapter seven hundred and twenty-seven is hereby repealed, but nothing in this act shall invalidate any action taken prior to the effective date of this act by any city or town under authority of said section two as in force immediately prior to said effective date, whether or not such action was taken by placing the question specified by said section two upon an official ballot.

Approved June 13, 1946.

Chap. 528 AN ACT AUTHORIZING THE TOWN OF MENDON TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER.

Be it enacted, etc., as follows:

SECTION 1. The town of Mendon may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

SECTION 2. For the purposes aforesaid, said town, acting by and through its board of water commissioners hereinafter provided for, may contract with any other municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase, gift, devise or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring or stream or of any ground water sources, by means of driven, artesian or other wells or filter galleries, within the limits of said town, not already appropriated for purposes of public water supply, and the water rights connected with any such water sources; and also for said purposes may take by eminent domain under said chapter seventy-nine or said chapter eighty A, or acquire by lease, purchase, gift, devise or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof and for conveying the same to any part of said town; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken or used without first obtaining the advice and

approval of the department of public health, and that the location and arrangement of all dams, reservoirs, wells or filter galleries, filtration and pumping plants or other works necessary in carrying out the provisions of this act shall be subject to the approval of said department; and for said purposes said town may acquire by lease, purchase, gift, bequest or otherwise any appliances, works, tools, machinery and other equipment that may be necessary or expedient in carrying out the provisions of this act. Said town may construct and maintain on the lands acquired and held under this act proper dams, wells, reservoirs, pumping and filtration plants, buildings, standpipes, tanks, fixtures and other structures, including also purification and treatment works, the construction and maintenance of which shall be subject to the approval of said department of public health, and may make excavations, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct, lay and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways, and along any such way in said town in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said town may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon; provided, that all things done upon any such way shall be subject to the direction of the selectmen of said town. Said town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation or, in case of failure so to agree, as may be approved by the department of public utilities. Said town may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any works or for any other purpose authorized by this act.

SECTION 3. The land, water rights and other property taken or acquired under this act, and all works, buildings and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the town.

SECTION 4. Any person or corporation injured in his or its property by any action of said town or board under this act may recover damages from said town under said chapter seventy-nine or said chapter eighty A; provided, that the right to damages for the taking of any water, water source or water right, or any injury thereto, shall not vest until the

water is actually withdrawn or diverted by said town under authority of this act.

SECTION 5. Said town, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, other than expenses of maintenance and operation, may issue from time to time bonds or notes to an amount, not exceeding, in the aggregate, fifty thousand dollars, which shall bear on their face the words, Town of Mendon Water Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to chapter forty-four of the General Laws.

SECTION 6. Said town, at the time of authorizing said loan or loans, shall provide for the payment thereof in accordance with the provisions of section five; and when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating its water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

SECTION 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any one of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both.

SECTION 8. Said town, after its acceptance of this act, at the same meeting at which the act is accepted, or at a meeting thereafter called for the purpose, and without the necessity, in either case, of a prior caucus for the nomination of candidates, shall elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the next succeeding annual town meeting, to constitute a board of water commissioners; and at the annual town meeting held on the day on which the shortest of such terms expires, and at each annual town meeting thereafter, one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act, except sections five and six, and not otherwise specially provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as said town may impose by its vote.

A majority of said commissioners shall constitute a quorum for the transaction of business. After the election of a board of water commissioners under authority of this section, any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting called for the purpose. Any such vacancy may be filled temporarily in the manner provided by section eleven of chapter forty-one of the General Laws, and the person so appointed shall perform the duties of the office until the next annual meeting of said town or until another person is qualified.

SECTION 9. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated by vote of said town to defray all operating expenses, interest charges and payments on the principal as they accrue upon any bonds or notes issued upon authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as the water commissioners, with the approval of the town, may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. All authority vested in said commissioners by the foregoing provisions of this section and by section three shall be subject to the provisions of section eight. Said commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of the receipts and expenditures.

SECTION 10. This act shall take full effect upon its acceptance by a majority of the voters of the town of Mendon present and voting thereon at a town meeting called for the purpose within four years after its passage; but the number of meetings so called in any year shall not exceed three.

Approved June 13, 1946.

AN ACT PROVIDING FOR THE CONSTRUCTION OF A NEW *Chap. 529*
BUILDING AT THE WALTHAM FIELD STATION.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Massachusetts state college shall construct on land of the commonwealth at the Waltham field station, a part of the agricultural experiment station of said college, a building which shall provide space for the laboratories, research workers and staff of said station and a suitable auditorium for the seating of at least four hundred persons.

SECTION 2. For the purpose of this act there shall be expended such sum, not exceeding one hundred and twenty-five thousand dollars, as may be appropriated therefor.

Approved June 13, 1946.

Chap. 530 AN ACT ESTABLISHING THE SALARY OF THE JUSTICE OF THE EAST BOSTON DISTRICT COURT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 218, § 76, etc., amended.

Salaries of certain judges.

Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section seventy-six, as most recently amended by section one of chapter four hundred and ninety-eight of the acts of the current year, and inserting in place thereof the following section: — *Section 76.* The salary of the justice of the Boston juvenile court shall be five thousand dollars, and that of the clerk of said court an amount equal to seventy-five per cent of the salary of the justice. The salary of the justice of the East Boston district court shall be fifty-six hundred dollars, the salary of the justice of the municipal court of the South Boston district shall be fifty-six hundred dollars, the salary of the justice of the municipal court of the Brighton district shall be fifty-six hundred dollars and the salary of the justice of the municipal court of the Charlestown district shall be forty-five hundred dollars. The salaries of the justices of the following district courts shall severally be as follows: First district court of Barnstable, twenty-seven hundred dollars; second district court of Essex, twenty-four hundred dollars; second district court of Plymouth, thirty-two hundred dollars; third district court of Plymouth, twenty-five hundred dollars; fourth district court of Plymouth, twenty-five hundred dollars; district court of Peabody, three thousand dollars; district court of eastern Hampshire, twenty-one hundred dollars; district court of Newburyport, three thousand dollars.

Approved June 13, 1946.

Chap. 531 AN ACT PROVIDING FOR A DEPUTY COMMISSIONER IN THE DEPARTMENT OF EDUCATION, AND ESTABLISHING HIS POWERS AND DUTIES.

Emergency preamble.

Whereas, The purpose of this act is to establish the office of deputy commissioner in the department of education and to provide for the immediate filling of said office, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 15, new § 2A, added.

Deputy commissioner of education.

Chapter fifteen of the General Laws is hereby amended by inserting after section two, as appearing in the Tercentenary Edition, the following section: — *Section 2A.* Subject to the approval of the governor and council, the commissioner may appoint and remove a deputy commissioner, who, under the direction of the commissioner, shall be in charge of the determination of payments from the Massachusetts School Fund, so called, and other state aid for public schools under the provisions of chapters seventy and seventy-one, of educational research, statistics and

reports, and of legislation concerning education, and who shall perform such other duties as may be assigned to him by the commissioner, and, during the absence or disability of the commissioner, shall perform his duties.

Approved June 13, 1946.

AN ACT PROVIDING TEMPORARILY FOR A COURSE OF SCHOOL INSTRUCTION BEYOND THE REGULAR HIGH SCHOOL COURSE OF INSTRUCTION FOR THE BENEFIT OF VETERANS AND OTHERS. Chap. 532

Whereas, The deferred operation of this act would tend, in part, to defeat its purpose, which is to provide immediately a course of school instruction beyond the regular high school course of instruction for veterans and others who are unable to secure admission to educational institutions of higher training on account of crowded conditions in such institutions, therefore it is hereby declared to be an emergency law necessary for the preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. If the school committee of any city or any town determines that sufficient need exists in such city or town for providing a course of school instruction beyond the regular high school course of instruction, such school committee may establish and maintain such extended course of instruction on junior college level, with the approval of the state department of education, which shall not exceed two years in duration, and public funds may be appropriated for the purpose.

SECTION 2. If such school committee votes that such extended course of instruction be established and maintained in such city or town, said committee shall submit in writing a plan of such course to the state department of education for its written approval; provided, that the course of instruction proposed in said plan shall conform to such standards as said department may establish and shall be maintained by said school committee under the general regulations of said department.

SECTION 3. Any such school committee shall establish as one of the rules of admission to the benefits of such extended course of instruction that the persons therein enrolled, or responsible agents acting in their behalf, shall pay toward the cost of maintaining such course such sum, not exceeding the actual cost thereof, as said school committee shall determine. If a city or town does not maintain such course of instruction, it may pay the charge authorized by this section in the case of any person who resides therein and obtains from its school committee a certificate to take the course in another city or town maintaining the same.

SECTION 4. Any such school committee shall charge fees provided by section three, which shall be paid into the treasury of such city or town.

SECTION 5. Two or more cities or towns in which the establishment of such extended course of instruction has been voted and approved as hereinabove provided may jointly establish and maintain such a course for the accommodation of said municipalities. The management and control of such course of instruction, the location of the schoolhouse where such course will be maintained and the apportionment of the expenses of the maintenance of the course and all incidental expenses shall be determined, on a pro rata pupil basis, by the school committees of the participating towns.

SECTION 6. Any city or town maintaining an extended course of instruction as provided by this act shall be eligible to receive state reimbursement for expenses incurred therefor in the manner prescribed for such reimbursement in the case of high schools.

SECTION 7. This act shall cease to be operative after June thirtieth, nineteen hundred and fifty-one.

Approved June 13, 1946.

Chap. 533 AN ACT TEMPORARILY PROVIDING FOR AN EDUCATIONAL PROGRAM IN THE STATE TEACHERS COLLEGES AND THE MASSACHUSETTS SCHOOL OF ART FOR CITIZENS OF THE COMMONWEALTH WHO ARE MEMBERS OF THE ARMED FORCES IN WORLD WAR II OR VETERANS OF SAID WAR.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide at once an educational program for residents of the commonwealth who are members of the armed forces of the present war or veterans of said war, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter six hundred and sixty of the acts of nineteen hundred and forty-five is hereby amended by striking out section one and inserting in place thereof the following section: —
Section 1. The department of education is hereby authorized and directed to provide for residents of the commonwealth who are members of the armed forces in World War II or veterans of said war an educational program at each of the state teachers colleges and at the Massachusetts School of Art, such program to include, in addition to the subjects mentioned in sections two and two A of chapter seventy-three of the General Laws, instruction in such subjects as it deems expedient in the training of such members of the armed forces or veterans in the fields of arts, science and industry. Such educational program may be availed of by any person who served in the military or naval forces of the United States during World War II and has received a discharge or release, other than a dishonorable one, from such service.

Approved June 13, 1946.

AN ACT FURTHER REGULATING THE DATES DURING WHICH HORSE RACING MEETINGS MAY BE HELD. *Chap.534*

Whereas, The deferred operation of this act would in part tend to defeat its purpose, which is to provide additional needed revenue for the commonwealth, by reason of the fact that if this act did not take effect for ninety days after its passage there would not then be sufficient time in which to perform the required acts prerequisite to the obtaining of a license to hold the meeting therein referred to during the current year, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Notwithstanding any provision of paragraph (d) of section three of chapter one hundred and twenty-eight A of the General Laws, horse racing meetings may be held on September thirtieth in the current year, whether or not conducted in connection with a state or county fair.

Approved June 13, 1946.

AN ACT IMPOSING A TAX ON AMOUNTS, IN EXCESS OF SIXTY-FIVE THOUSAND DOLLARS, WAGERED EACH DAY UNDER THE PARI-MUTUEL OR CERTIFICATE SYSTEM OF WAGERING AT HORSE AND DOG RACING MEETINGS HELD IN CONNECTION WITH A STATE OR COUNTY FAIR IN THE CURRENT YEAR. *Chap.535*

Whereas, This act imposes a tax on certain amounts wagered under the pari-mutuel or certificate system of wagering, at certain horse and dog racing meetings, including those taking place in the near future, and the deferred operation of this act would tend in part to defeat its purpose by depriving the commonwealth of necessary revenue, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of section five of chapter one hundred and twenty-eight A of the General Laws, as amended, a licensee holding a racing meeting under said chapter in connection with a state or county fair during the year nineteen hundred and forty-six shall pay to the state racing commission, on the day following each day of such meeting, a sum equal to three and one half per cent of so much of the total amount deposited on the preceding day by the patrons wagering at said meeting as exceeds sixty-five thousand dollars, said three and one half per cent to be paid from the fifteen per cent withheld from the total amount wagered as provided in section five of said chapter.

Approved June 13, 1946.

Chap. 536 AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAKE PROVISION FOR THE CONTINUED DEVELOPMENT OF THE PORT FACILITIES OF THE CITY OF NEW BEDFORD.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay for further improving the port facilities of the city of New Bedford, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, for the purpose of improving the port facilities of the city of New Bedford, is hereby authorized and directed to construct additional pier and storage terminal facilities on the property under its charge known as the New Bedford state pier in said city, and in connection therewith may do such dredging and place such filling and may construct drains, sewers, railroad and highway connections and approaches and such other appurtenances and improvements as may be necessary or desirable.

SECTION 2. For the purpose of this act said department may expend such sums, not exceeding, in the aggregate, five hundred thousand dollars, as may hereafter be appropriated therefor.

Approved June 13, 1946.

Chap. 537 AN ACT RELATIVE TO CORRUPT PRACTICES, ELECTION INQUESTS AND VIOLATIONS OF ELECTION LAWS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 51, § 54,
amended.

SECTION 1. Section fifty-four of chapter fifty-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

Penalty.

Whoever interferes with, or aids or abets any person in interfering with, any supervisor of registration in the performance of his duty, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year.

G. L. (Ter.
Ed.), 53, § 45,
etc., amended.

SECTION 2. Section forty-five of chapter fifty-three of the General Laws, as most recently amended by section seven of chapter three hundred and thirty-seven of the acts of nineteen hundred and forty-one, is hereby further amended by adding at the end the following paragraph: —

Penalty.

Whoever knowingly subscribes falsely to a statement on a primary nomination paper shall be punished by a fine of not more than fifty dollars.

G. L. (Ter.
Ed.), 53, § 76,
amended.

SECTION 3. Section seventy-six of said chapter fifty-three, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

Penalty.

A caucus officer or a voter violating any provision of this section shall be punished by a fine of not more than five

hundred dollars or by imprisonment for not more than six months.

SECTION 4. Section eighty-seven of said chapter fifty-three, as so appearing, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 53, § 87, amended.

Any presiding officer, secretary or clerk of a caucus who wilfully neglects or refuses to comply with the provisions of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

Penalty.

SECTION 5. Section twenty-three of chapter fifty-four of the General Laws, as most recently amended by section eight of chapter four hundred and eleven of the acts of nineteen hundred and forty-three, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 54, § 23, etc., amended.

Any supervisor appointed under this section violating any provision of this section, or any person who prevents any such supervisor from doing any of the acts authorized by this section, or hinders or molests him in doing any such acts, or aids or abets in preventing, hindering or molesting him in doing any of such acts, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

Penalty.

SECTION 6. Section twenty-seven of chapter fifty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 54, § 27, amended.

Whoever wilfully or maliciously injures, tampers with or destroys a ballot box or any of the blank forms or apparatus furnished to a city or town under this section or section twenty-six shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

Penalty.

SECTION 7. Section sixty-five of said chapter fifty-four, as most recently amended by section fifteen of said chapter four hundred and eleven, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 54, § 65, etc., amended.

Whoever posts, exhibits, circulates or distributes any poster, card, handbill, placard, picture or circular intended to influence the action of a voter, or any paster to be placed upon the official ballot, in violation of any provision of this section, shall be punished by a fine of not more than twenty dollars.

Penalty.

SECTION 8. Section sixty-eight of said chapter fifty-four, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 54, § 68, amended.

Any election officer who violates any provision of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

Penalty.

SECTION 9. Section seventy-three of said chapter fifty-four, as so appearing, is hereby amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 54, § 73, amended.

Penalty.

Whoever, when so ordered by the presiding officer of an election, caucus, primary or town meeting, refuses or fails to remove any pipe, cigar, cigarette or liquor, or to withdraw from the polling place, as provided by this section, shall be punished by a fine of not more than twenty dollars.

G. L. (Ter. Ed.), 55, stricken out, and new chapter 55, inserted.

SECTION 10. Chapter fifty-five of the General Laws, as amended, is hereby stricken out and the following chapter inserted in place thereof: —

CHAPTER 55.

CORRUPT PRACTICES AND ELECTION INQUESTS.

POLITICAL EXPENSES OF CANDIDATES.

Campaign expenses of candidates limited and defined.

Section 1. Except as otherwise provided in this chapter, no person, in order to aid or promote his own nomination or election to public office, shall himself or through another person give, pay, expend or contribute any money or other thing of value, or promise so to do, in excess of the following amounts.

	Primary.	Election.
United States Senator	\$20,000	\$20,000
Governor	20,000	20,000
Lieutenant Governor, State Secretary, State Treasurer, State Auditor, Attorney General	20,000	20,000
Representative in Congress	7,500	7,500
State Senator	2,000	2,000
Representative in the General Court: —		
Each candidate may spend: —		
In a district entitled to three representatives	1,200	1,200
In a district entitled to two representatives	1,000	1,000
In a district entitled to one representative	800	800

A candidate for any other office may expend an amount not exceeding one hundred dollars for each one thousand, or major portion thereof, of the registered voters qualified to vote for candidates for the office in question at the next preceding election; but no such candidate shall expend more than six thousand dollars for the expenses of a primary, nor more than six thousand dollars for the expenses of an election. Contributions by a candidate to political committees shall be included in the foregoing sums.

The sums hereby authorized shall include all contributions from individuals, political committees or other sources to a candidate or person acting under his authority, and shall include every payment or promise of payment for any purpose, made directly or indirectly by, or for the benefit of, a candidate, except payments or promises of payments of expenses by a political committee as authorized by this chapter; and the gift, payment, contribution or promise of any money or thing of value in excess of those sums, by a candidate directly or indirectly, shall be deemed a corrupt practice.

Violation of any provision of this section, in addition to any other penalty provided therefor, shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars.

To include contributions, etc.

Excess payments, etc., deemed a corrupt practice.

Penalty.

Section 2. Every candidate for nomination or election to a public office shall keep detailed accounts of all money or other things of value received by or promised to him or any person acting under his authority, and of all expenditures and disbursements made by him or by any person acting under his authority. Said accounts may be kept by an agent duly authorized thereto, but the candidate shall be responsible for them. They shall be kept separate and distinct from all other accounts and shall include money or other things of value contributed or paid by the candidate from his personal funds.

Candidates to keep detailed accounts, with vouchers.

Every payment shall, unless the total expense payable to any one person is less than five dollars, be vouched for by a receipted bill, stating the particulars of the expense, and every voucher, receipt or account hereby required shall be preserved for six months after the primary or election to which it relates. Failure by a candidate so to preserve such vouchers, receipts and accounts shall be deemed prima facie evidence of a corrupt practice.

Violation of any provision of this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars.

Penalty.

Section 3. Candidates for nomination or election to the senate or house of representatives of the United States shall be subject to the laws of the United States in so far as sections one, two and five may conflict with such laws.

Candidates for United States senator and representative to be subject to United States laws in case of conflict.

POLITICAL COMMITTEES.

Section 4. Every non-elected political committee shall have a treasurer, and a chairman who shall, not later than the day preceding the election in connection with which said committee is organized to function, file with the state secretary, or, when organized for the purposes of a municipal election only, with the city or town clerk, the names and addresses of such treasurer and chairman and of at least three additional members thereof and a statement of the purpose for which organized; and, in the event of a change in such officers or as to such additional members, a statement of such change shall forthwith be filed as in the case of the officers first chosen. The treasurer of every non-elected and of every elected political committee shall qualify for his office by filing a written acceptance thereof with the state secretary, or, in the case of a municipal election as aforesaid, with the city or town clerk, and said treasurer shall remain subject to all the duties and liabilities imposed by this chapter until his written resignation of the office or his successor's written acceptance is filed as aforesaid. No person acting under the authority or in behalf of any political committee shall receive any money or other thing of value, or expend or disburse the same or incur expenses, while it has no treasurer qualified as aforesaid, or while the name or address of any of its officers, as originally or subsequently chosen, or of any such additional member is not filed if and as required by

Political committees, organization, etc., regulated; statements to be filed with state secretary, etc.
Treasurer: qualification, duties, etc.

Qualification of treasurers of non-elected and elected political committees.

Receipts and disbursements prohibited until treasurer has qualified.

this section or chapter fifty-two, as the case may be. Every treasurer of a political committee shall keep and preserve detailed accounts, vouchers and receipts, as prescribed for an individual candidate.

Penalty.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

Payments by political committees restricted.

Section 5. Political committees, duly organized, may receive, pay and expend money or other things of value for the following purposes, and no others: advertising, writing, printing and distributing circulars or other publications, radio broadcasts or other forms of publicity, hire and maintenance of political headquarters, and clerical hire incidental thereto, meetings, refreshments, not including intoxicating liquors, but including cigars and tobacco, decorations and music, postage, stationery, printing, expressage, traveling expenses, telephone, telegraph and messenger service, and the hire of conveyances and workers at polling places.

Such committee may contribute to other political committees and may contribute to the personal fund of a candidate. A political committee or a candidate may hire conveyances or workers at primaries or elections, but not more than two persons at each polling place shall be hired to represent the same political party, candidate or principle.

Penalty.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

POLITICAL CONTRIBUTIONS.

Receipts or disbursements regulated.

Section 6. No person or combination of persons shall in connection with any nomination or election receive money or its equivalent, expend or disburse or promise to expend or disburse the same, except as authorized by this chapter. A political committee or a person acting under the authority or on behalf of such a committee may receive money or its equivalent, or expend or disburse or promise to expend or disburse the same for the purpose of aiding or promoting the success or defeat of a candidate at a primary or election or a political party or principle in a public election or favoring or opposing the adoption or rejection of a question submitted to the voters, and for other purposes expressly authorized by this chapter subject, however, to the provisions thereof. Any individual, not a candidate, may contribute to any political committee and to any candidate, except as provided in section one, a sum which shall not exceed one thousand dollars in any election and primary preliminary thereto. This section shall not prohibit the rendering of services by speakers, publishers, editors, writers, checkers and watchers at the polls or by other persons for which no compensation is asked, given or promised, expressly or by implication; nor shall it prohibit the payment by themselves of such personal expenses as may be incidental to the rendering of such serv-

Rendering of certain services not prohibited.

Contributions of individuals not candidates, limited.

ices; nor shall it prohibit the free use of property belonging to an individual and the exercise of ordinary hospitality for which no compensation is asked, given or promised, expressly or by implication.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars. Penalty.

Section 7. No corporation carrying on the business of a bank, trust, surety, indemnity, safe deposit, insurance, railroad, street railway, telegraph, telephone, gas, electric light, heat, power, canal, aqueduct, or water company, no company having the right to take land by eminent domain or to exercise franchises in public ways, granted by the commonwealth or by any county, city or town, no trustee or trustees owning or holding the majority of the stock of such a corporation, no business corporation incorporated under the laws of or doing business in the commonwealth and no officer or agent acting in behalf of any corporation mentioned in this section, shall directly or indirectly give, pay, expend or contribute, or promise to give, pay, expend or contribute, any money or other valuable thing for the purpose of aiding, promoting or preventing the nomination or election of any person to public office, or aiding, promoting or antagonizing the interests of any political party, or influencing or affecting the vote on any question submitted to the voters, other than one materially affecting any of the property, business or assets of the corporation. No person or persons, no political committee, and no person acting under the authority of a political committee, or in its behalf, shall solicit or receive from such corporation or such holders of stock any gift, payment, expenditure, contribution or promise to give, pay, expend or contribute for any such purpose. Political contributions by corporations, and soliciting or receiving such contributions, forbidden.

Any corporation violating any provision of this section shall be punished by a fine of not more than ten thousand dollars, and any officer, director or agent of a corporation violating any provision thereof or authorizing such violation, or any person who violates or in any way knowingly aids or abets the violation of any provision thereof, shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than six months. Penalty.

Section 8. No person shall, directly or indirectly, make a payment or promise of payment to a political committee or to any person acting under its authority or in its behalf, in any name except his own nor unless he makes known his address at the time of such promise or payment; nor shall such committee or person knowingly receive a payment or promise of payment, or enter or cause the same to be entered in the accounts or records of such committee, in any name other than that of the person by whom it is made nor without recording the name and address of such person. Payments, etc., to be in true name of donor.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars. Penalty.

Soliciting,
etc., from
candidates
forbidden.

Section 9. No person, no political committee and no person acting under the authority of a political committee or in its behalf, shall demand, solicit, ask or invite from a candidate for nomination or election to public office, or a person occupying an elective public office, any payment or gift of money or other valuable thing, or promise of payment or gift of money or other valuable thing for advertising, gratuities, donations, tickets, programs, or any other purpose whatsoever; and no such candidate for nomination or election, and no one occupying an elective public office, shall make any such payment or gift, or promise to make any such payment or gift, to any person, political committee, or any person acting under the authority of a political committee, if such person or political committee has demanded, solicited, asked, or invited from him any such payment, gift or promise of payment or gift; but this section shall not apply to the soliciting or making in good faith of gifts for charitable or religious purposes.

Penalty.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

Political committees not to demand or solicit money for nomination papers.

Section 10. No political committee, and no person acting under its authority or in its behalf, shall demand or solicit from any candidate for nomination to elective office, or from any one acting in his behalf, a payment of money or a promise of payment of money, as a prerequisite to his obtaining from such committee or its agent the nomination papers required by sections ninety-five to one hundred and one, inclusive, of chapter fifty-three.

Penalty.

Violation of any provision of this section shall be punished by a fine of not more than one hundred dollars.

Public officers and employees forbidden to solicit political contributions.

Section 11. No person holding any public office or employment, under the commonwealth or any county, city or town, shall directly or indirectly demand, solicit or receive, or be concerned in demanding, soliciting or receiving any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever; but this section shall not prevent such persons from being members of political organizations or committees.

Any appointed officer or employee convicted of violating any provision of this section may be removed by the appointing authority without a hearing.

Penalty.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than one thousand dollars.

Soliciting political contributions in public buildings forbidden.

Section 12. No person shall in any building or part thereof occupied for state, county or municipal purposes demand, solicit or receive any payment or gift of money or other thing of value for the purposes set forth in section eleven.

Any appointed officer or employee convicted of violating any provision of this section may be removed by the appointing authority without a hearing.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than one thousand dollars. Penalty.

Section 13. No officer, clerk or other person in the service of the commonwealth or of any county, city or town shall, directly or indirectly, give or deliver to an officer, clerk or person in said service, or to any councillor, member of the general court, alderman, councilman or commissioner, any money or other valuable thing on account of, or to be applied to, the promotion of any political object whatever. Making political contributions within the public service forbidden in certain cases.

Violation of any provision of this section shall be punished by a fine of not less than one hundred nor more than one thousand dollars. Penalty.

Section 14. No person in the public service shall, for that reason, be under obligation to contribute to any political fund, or to render any political service, and shall not be removed or otherwise prejudiced for refusing to do so. Persons in public service not required to contribute or otherwise render political service.

Violation of any provision of this section shall be punished by a fine of not less than one hundred nor more than one thousand dollars. Penalty.

Section 15. No officer or employee of the commonwealth or of any county, city or town shall discharge, promote, or degrade an officer or employee, or change his official rank or compensation, or promise or threaten so to do, for giving, withholding or neglecting to make a contribution of money or other valuable thing for a political purpose. Certain persons in state and municipal service not to be affected by failure to contribute.

Violation of any provision of this section shall be punished by a fine of not less than one hundred nor more than one thousand dollars. Penalty.

STATEMENTS OF POLITICAL EXPENSES OF CANDIDATES AND COMMITTEES.

Section 16. Every candidate for nomination for or election to a public office shall file a statement setting forth each sum of money and thing of value paid or promised to him or to a person on his behalf, and each sum of money and thing of value expended, contributed or promised by him or by a person on his behalf, for the purpose of securing or in any way affecting his nomination or election to the office, and the name of the person or political committee to or by whom the payment, contribution or promise was made and the date thereof, or, if nothing has been paid or promised to him or to a person on his behalf or contributed, expended or promised by him or by a person on his behalf, a statement to that effect. Such a statement shall be filed by a candidate for nomination as aforesaid at a primary or caucus preceding a special state, city or town election, within seven days after such primary or caucus, and by a candidate for nomination as aforesaid at any other primary or caucus, within sixteen days thereafter, and by a candidate for election as aforesaid, within fourteen days after the election. Every such statement shall include the name and last known ad- Candidates to file statements.
Time limits.

dress of each person by or on behalf of whom any money or thing of value was so paid or promised to be paid to such candidate or to a person on his behalf, and also the name and last known address of every person to whom or on behalf of whom any money or thing of value was so expended, contributed or promised by the candidate or by a person on his behalf.

Penalty.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

Treasurer to
file statement,
contents, etc.

Section 17. The treasurer of every political committee which receives, expends or disburses any money or its equivalent, or incurs any liability to pay money, in connection with any nomination or election to an amount exceeding twenty dollars, shall, within thirty days after such election, file a statement setting forth all the receipts, expenditures, disbursements and liabilities of the committee and of every officer and other person acting under its authority or in its behalf. It shall include the amount in each case received, the name of the person or committee from whom received, the date of its receipt, the amount of every expenditure or disbursement, the name of the person or committee to whom it was made, and the date thereof; and, unless such expenditure or disbursement was made to another political committee, shall clearly state the purpose of such expenditure or disbursement; also the date and amount of every existing promise or liability, both to and from such committee, remaining unfulfilled and in force when the statement is made, the name of the person or committee to or from whom the unfulfilled promise or liability exists, and a clear statement of the purpose for which the promise or liability was made or incurred. Every such statement shall include the name and last known address of every person by or on behalf of whom any money or thing of value was so paid or promised to be paid to such committee or to a person on its behalf, and also the name and last known address of every person to whom or on behalf of whom any money or thing of value was so expended, contributed or promised by such political committee or by a person on its behalf. If the aggregate receipts or disbursements of a political committee in connection with any nomination or election shall not exceed twenty dollars, or if such a committee has not received, expended or disbursed any money or its equivalent, or incurred any liability, in connection with any nomination or election, the treasurer of the committee shall, within thirty days after the election, file a statement setting forth the fact.

Penalty.

Violation of any provision of this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars.

Statement of
contributions
to be filed.

Section 18. The treasurer of any corporation mentioned in section seven which has given, paid, expended or contributed, or promised to give, pay, expend or contribute, any money or other valuable thing in order to influence or affect

the vote on any question submitted to the voters which materially affects any of the property, business or assets of the corporation, shall, within thirty days after the election at which the question was submitted to the voters, file a statement with the state secretary setting forth the amount of every gift, payment, expenditure or contribution or promise to give, pay, expend or contribute, together with the date, purpose, and name and last known address of the person to whom it was made.

Violation of any provision of this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars. Penalty.

Section 19. Whoever, acting under the authority or in behalf of a political committee, receives any money or its equivalent, or promise of the same, or expends or incurs any liability to pay the same, shall, on demand, and in any event within fourteen days after such receipt, expenditure, promise or liability, give to the treasurer a detailed account of the same, with all vouchers required by this chapter, which shall be a part of the accounts and files of such treasurer. Persons acting for committees to give accounts and vouchers to treasurer.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars. Penalty.

Section 20. The statement required to be filed by a candidate, treasurer or other person shall be filed with the clerk of the city or town where such candidate, treasurer or other person is a voter. If the nomination to which such statement relates is a nomination to a state or national office, or the election is a state or national election, a duplicate shall be filed with the state secretary. All such statements shall be signed under the penalties of perjury. Filing of statement, duplicate, oath.

Section 21. All statements shall be preserved for fifteen months after the election to which they relate and shall, under reasonable regulations, be open to public inspection. Statements to be preserved, etc.

Section 22. The state secretary shall at the expense of the commonwealth furnish to city and town clerks blanks in form approved by him and by the attorney general, suitable for the statements required by law. On receipt of a list of candidates for public office before a caucus or primary, or upon the filing of a nomination before a municipal election, the city or town clerk shall transmit to the candidate or candidates put in nomination, and to the treasurers of political committees, the blanks above described. Upon the filing of a nomination before a state or national election, the state secretary shall transmit to the candidate or candidates put in nomination, and to the treasurers of the political committees, the blanks above described. Such blanks shall be furnished, upon application, to any person required to file a statement. Blanks to be furnished for statements.

Section 23. The state secretary shall inspect all statements of candidates filed with him, and the clerks of cities or towns shall inspect all such statements relating to nominations and to city or town elections filed with them, within Statements to be inspected and delinquents notified.

thirty days, and all other statements within sixty days, after the election to which they relate, and if upon examination of the official ballot it appears that any person has failed to file a statement as required by law, or if it appears to the state secretary that any such statement filed with him does not conform to law, or if it appears to a city or town clerk that such statement relating to a city or town nomination or election does not conform to law, or upon written complaint by five registered voters that a statement does not conform to law, or that any person has failed to file a statement required by law, the state secretary or city or town clerk, as the case may be, shall in writing notify the delinquent person. Such complaint shall state in detail the grounds of objection, shall be sworn to by one of the subscribers, and shall be filed with the state secretary or with the proper city or town clerk within forty days after the election in question, or within ten days after the filing of a statement or amended statement.

Complaint,
form, filing.

Attorney
general to
be notified,
etc.

Section 24. Upon failure to file a statement within ten days after receiving notice under section twenty-three, or if any statement filed after receiving such notice discloses any violation of any provision of this chapter, the state secretary or the city or town clerk, as the case may be, shall notify the attorney general thereof and shall furnish him with copies of all papers relating thereto, and the attorney general, within two months thereafter, shall examine every such case, and, if satisfied that there is cause, he shall in the name of the commonwealth institute appropriate civil proceedings or refer the case to the proper district attorney for such action as may be appropriate in the criminal courts.

Courts may
compel filing
of statements,
etc.

Section 25. The supreme judicial or superior court may compel any person failing to file a statement as above required, or filing a statement not conforming to the foregoing requirements in respect to its truth, sufficiently in detail, or otherwise, to file a sufficient statement, upon the application of the attorney general or district attorney or petition of any candidate voted for, or of any five persons qualified to vote at the election on account of which the expenditures, or any part thereof, were made or are alleged to have been made. Such petition shall be filed within sixty days after such election, if the statement was filed within the thirty days required, but a petition may be filed within thirty days of any payment not included in the statement so filed. Proceedings under this section shall be advanced for speedy trial upon the request of either party. No petition brought under this chapter shall be discontinued without the consent of the attorney general.

Immunity
of witness.

Section 26. No person compelled to testify in any proceedings under section twenty-five shall be liable to criminal prosecution for any matters or causes in respect of which he shall be examined or to which his testimony shall relate, except to prosecution for perjury committed in such testimony.

GENERAL PROVISIONS RELATIVE TO CORRUPT PRACTICES.

Section 27. A candidate shall be deemed to have committed a corrupt practice who commits any of the following offences:

Corrupt practice by candidate defined.

Violation of the provisions of section one relative to the expenditure of money in excess of the amounts therein authorized.

Making a false return in any statement filed under sections sixteen and twenty by a candidate for nomination or election.

Any candidate fraudulently and wilfully obstructing and delaying a voter, interfering with, hindering or preventing an election officer from performing his duties, forging an endorsement upon, altering, destroying or defacing a ballot, tampering with or injuring or attempting to injure any voting machine or ballot box to be used or being used in a primary or election, or preventing or attempting to prevent the correct operation of such machine or box.

Section 28. (a) If five or more voters have reasonable cause to believe that a corrupt practice, as defined in section twenty-seven, has been committed by any successful candidate, other than a candidate for the United States congress, or for the general court, for whom such voters had the right to vote, with reference to his election, or by any other person in his interest or behalf with reference thereto, such voters may apply to a justice of the superior court, sitting in equity within and for Suffolk county, for leave to bring an election petition against such candidate praying that the election of such candidate be declared void. Such application shall be subscribed and sworn to by the petitioners and it shall be heard ex parte by the justice of the superior court upon such evidence as he may require; and if the petitioners shall establish to his satisfaction that there is reasonable cause to believe that a corrupt practice has been committed with reference to the election of the candidate in question, which materially affected the results of the election, and that upon the evidence obtainable there is reasonable cause to believe that such violations may be proved, he shall make an order granting leave to the petitioners to bring an election petition against such candidate.

Election petitions for corrupt practices.

(b) After the entry of such order, and within two months after the election to which it relates, the election petition may be filed in the superior court within and for Suffolk county.

To be brought in the superior court, county of Suffolk, etc.

Notice of the petition shall be by writ of subpoena according to the usual course of proceedings in equity and shall be returnable fourteen days after the date on which the petition is filed.

Entry, notice, procedure.

A subpoena issued upon an election petition shall be served not less than seven days before the return day.

A defence to an election petition shall be by answer, filed within seven days after the return day, and no replication need be filed.

To be heard
by three
justices, etc.

Election petitions shall be entered on the equity docket.
(c) Election petitions and all motions and other applications, whether interlocutory or final, and all hearings on the merits or upon the making, entering or modifying of decrees therein shall be heard and determined by three justices of the superior court who shall, immediately following the filing of an election petition, be assigned by the chief justice of said court for the hearing and determination of all matters arising under election petitions prior to the next state election. No reference to a master shall be had upon any matter arising under an election petition, except in matters of fact relating to financial statements and the examination of accounts and vouchers. All proceedings under election petitions shall have precedence over any case of a different nature pending in any court, and the justices of the superior court may from time to time make such rules regulating the practice and proceedings in matters of such election petitions, not inconsistent with this chapter, as they deem expedient. In the absence of any such rules, the practice and procedure in election petitions shall be governed by such laws or rules of court, not inconsistent with this chapter, as may from time to time be in force relating to the practice and proceedings in matters of equity.

Decision of
three justices
to be final.

Case may be
reported.

(d) Upon an election petition the decision of the three justices of the superior court assigned as aforesaid, or of a majority of them, shall be final and conclusive upon all matters in controversy, whether interlocutory or final, and whether in matters of fact or matters of law. But the said justices, or a majority of them, may, after a finding of facts, either of their own motion or at the request of either party, report the case to the supreme judicial court for determination by the full court; and thereupon like proceedings shall be had as upon a report after a finding of facts by a justice of the superior court in equity proceedings.

Defences.

(e) If upon an election petition one or more violations of section twenty-seven are proved, it shall be a defence to the petition if the defendant establishes to the satisfaction of a majority of the justices hearing the same, with reference to all of said violations, the following:

As to every such violation, either that

(1) Such violation was not committed by the candidate, but was committed contrary to the orders and without the sanction or connivance of the candidate;

(2) The participation, if any, of the candidate in such violation, arose from inadvertence or from accidental miscalculation, or from some other reasonable cause of a like nature, and in any case did not arise from any want of good faith;

(3) The candidate took all reasonable means for preventing the commission of violations of this chapter with reference to the election in question;

(4) The violation in question was of a trivial, unimportant and limited character;

(5) The violation in question did not materially affect the results of the election.

(f) The court may by an order make the final disposition of an election petition conditional upon the filing of a statement required by this chapter in a modified form, or within an extended time, and upon compliance with such other terms as the court may deem best calculated to carry into effect the objects hereof, and in such case the court shall require, within a time certain, further proof as to the compliance with the conditions of such order, whereupon a final decree shall be entered.

Court may make final disposition conditional, etc.

(g) If upon the hearing of an election petition a majority of the justices hearing the same shall find that in relation to the election of the candidate in question a corrupt practice, as defined in section twenty-seven, was committed by the defendant, a decree shall be entered subject to the limitations and conditions hereinbefore prescribed, declaring void the election of the defendant to the office in question, and ousting and excluding him from such office and declaring the office vacant.

Decree upon finding of corrupt practice.

(h) No person called to testify upon an election petition shall be excused from testifying or producing any papers on the ground that his testimony may tend to criminate him or subject him to a penalty; but he shall not be prosecuted or subjected to any penalty or forfeiture except forfeiture of election to office, for or on account of any action, matter or thing concerning which he may so testify, except for perjury committed in such testimony.

Immunity, etc., of witness.

(i) No decree entered upon an election petition shall be a bar to or affect in any way any criminal prosecution of any candidate or other person, or any inquest in accordance with sections thirty to thirty-six, inclusive.

Decree no bar to criminal prosecution, etc.

(j) A certified copy of any final decree entered upon an election petition, as provided by this chapter, shall forthwith be transmitted by the clerk to the state secretary; and any vacancy in any office created by any such decree shall be filled in the manner provided by law in case of the death of the incumbent, but in no case shall the candidate so excluded from the office be eligible therefor.

Certified copy to secretary of commonwealth; filling of vacancy.

(k) If upon the hearing of an election petition it shall appear to a majority of the justices hearing the same that with reference to the election in question there is a reasonable presumption that any violation of this chapter was committed, they shall cause notice of the facts to be given by the clerk of said court to the district attorney for the county where the violation appears to have been committed, with a list of the witnesses to establish the violation, and any other information which they may consider proper; and thereupon the district attorney shall cause complaint therefor to be made before a court or magistrate having jurisdiction thereof, or shall present the evidence thereof to the grand jury. If it shall appear that a successful candidate

Notice to district attorney, process, etc.

for district attorney has been guilty of any such violation, a majority of said justices shall order the notice of the facts to be given to the attorney general, who shall designate a district attorney to make such complaint or presentment. A majority of said justices may issue process for the apprehension of any person so appearing to have committed a violation of this chapter, and may bind over, as in criminal prosecutions, such witnesses as they deem necessary to appear and testify at the court having jurisdiction of the crime.

Preceding sections to apply to elections, primaries, etc.

Section 29. Sections one to twenty-eight, inclusive, shall apply to all public elections, except of town officers in towns of less than ten thousand inhabitants, and to elections by the general court and by city councils and by either branch thereof, and, so far as applicable, to the nomination by primaries, caucuses, conventions and nomination papers of candidates to be voted for at such elections. The term "political committee" as defined in section one of chapter fifty shall not apply to the proprietors and publishers of publications issued at regular intervals, in respect to the ordinary conduct of their business, nor shall they, in respect thereto, be subject to sections two to five, inclusive, of this chapter.

ELECTION INQUESTS.

Inquests upon violations of election laws.

Section 30. Upon a complaint subscribed and sworn to by any person before a district court or trial justice, alleging that reasonable grounds exist for believing that any law relating to the qualification or registration of voters, or to voting lists or ballots, or to primaries, caucuses, conventions and elections, or to any matters pertaining thereto, has been violated, such court or justice may at once hold an inquest to inquire into such alleged violation of law.

Conduct of hearings.

Section 31. The court or trial justice may exclude all persons whose presence is not necessary at such inquest; and may also direct the witnesses to be kept so separated that they cannot converse with each other until they have been examined. The attorney general, the district attorney, or some person designated by either, shall attend the inquest and examine the witnesses.

Witnesses, attendance, fees, etc.

Section 32. Such court, justice or attorney may issue subpoenas for witnesses, who shall be allowed the same fees, whose attendance may be enforced in the same manner, and who shall be subject to the same penalties, as if served with a subpoena in behalf of the commonwealth in a criminal prosecution before such court or trial justice.

Stenographer.

Section 33. Such court or trial justice may employ a stenographer and may have the proceedings reduced to writing; and, if he finds that the law has been violated, shall report to the superior court all the material facts and the names of any persons guilty of any such violation.

Witnesses may be bound over.

Section 34. The court or trial justice may bind over, as in criminal prosecutions, such witnesses as are necessary, or as said attorney may designate, to appear and testify in the superior court.

Section 35. If a person charged by the report with the commission of an offence is not in custody, the court or trial justice shall forthwith issue a process for his apprehension; but such process may issue before the filing of said report, if otherwise lawful.

Certain persons may be apprehended.

Section 36. No person shall be excused from testifying or producing any papers in any inquest proceedings under sections thirty to thirty-five, inclusive, on the ground that his testimony may tend to criminate him or subject him to a penalty or forfeiture, but he shall not be prosecuted or be subjected to a penalty or forfeiture for or on account of any action, matter or thing concerning which he may be required so to testify, except for perjury committed in such testimony.

Guilty party may be forced to testify, and receive immunity.

PENALTIES FOR CORRUPT PRACTICES.

Section 37. Whoever is found by final judgment upon an election petition, as provided in section twenty-eight, to have committed a corrupt practice, and, in accordance with such finding, forfeits the office to which he has been elected, or whoever is convicted in a criminal proceeding of violating any provision of law relating to corrupt practices in elections, shall be disqualified as a voter for a period of three years following the date of such judgment or conviction, and shall be ineligible to hold public office for said period.

Person found guilty of corrupt practice to be disfranchised, etc., for three years.

Section 38. The state secretary in proceedings based upon an election petition, as provided in section twenty-eight, and the clerk of the court wherein a person is convicted of a violation of any provision of law relating to corrupt practices in elections, shall, within ten days after final judgment on such election petition or conviction, forward to the clerk of the city or town where the defendant resides a certified copy of the record of the final judgment or conviction, and the name of such person shall forthwith be stricken from the roll of registered voters of the city or town for a period of three years.

Enforcement of preceding section.

SECTION 11. Chapter fifty-six of the General Laws, as amended, is hereby stricken out and the following chapter inserted in place thereof:—

G. L. (Ter. Ed.), 56, stricken out and new chapter 56, inserted.

CHAPTER 56.

VIOLATIONS OF ELECTION LAWS.

PENALTIES FOR OFFENCES CONCERNING ASSESSMENT, LISTING AND REGISTRATION OF VOTERS.

Section 1. A registrar, assistant registrar, member of a listing board, police officer or interpreter, who knowingly enters on any list of persons, or causes or allows to be entered thereon, or reports the name of any person as a resident of a building, who is not a resident thereof, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

False listing in cities and towns having listing boards.

Misconduct
of registrar
or assistant
registrar.

Section 2. A registrar or assistant registrar who refuses or wilfully neglects to require, under section forty-four of chapter fifty-one, an applicant for registration to read the five lines from the constitution of the commonwealth in such manner as to show that he is neither prompted nor reciting from memory, or to write his name in the register, unless he is prevented by physical disability from so doing, or distinctly to announce the name of an applicant for registration before entering his name upon the register, or who knowingly prevents or seeks to prevent the registration of any legal voter, or who knowingly registers the name of any person not qualified to vote, or who is guilty of any fraud or corrupt conduct in the execution of the duties of his office, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Neglect of
duty by mem-
ber of listing
board or
police officer
in cities and
towns having
listing boards.

Section 3. A registrar, assistant registrar or a member of a listing board or a police officer in a city or town having a listing board upon whom a duty is imposed by any law relating to the listing or registration of voters, who refuses or wilfully fails to perform such duty, or who wilfully performs it contrary to law, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

Failure or
refusal to
give name or
information
to registrar,
etc.

Section 4. Whoever, being an inmate of a building and a resident twenty years of age or upward, refuses or neglects to give his or her true name when asked by a registrar, assistant registrar, member of a listing board or police officer, or whoever, being an owner or occupant of a building, or a clerk, superintendent, manager or other person having in charge the affairs of a hotel or lodging house, refuses or neglects to give the full and true information within his or her knowledge relating to all persons residing in such building, when asked by such registrar or other officer, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year. Whoever, being a licensed innholder or keeper of a lodging house or public lodging house, fails in any respect to make the reports required by section ten A of chapter fifty-one in the detail and manner and within the time therein provided shall be punished by a fine of not less than ten nor more than fifty dollars.

Giving false
information
to same
officials.

Section 5. Whoever knowingly gives to a registrar, assistant registrar, member of a listing board or police officer, for the purpose of making a list of residents twenty years of age or upward or a report under the laws relating to listing and registration of voters, the name of any person as a resident of a building, who is not a resident thereof, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

False oath,
etc.

Section 6. Whoever knowingly or wilfully makes a false affidavit, takes a false oath or signs a false certificate relative to the qualifications of any person for listing or registration shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Section 7. Whoever aids or abets a person in knowingly or wilfully making a false affidavit, taking a false oath or signing a false certificate relative to the qualifications of any person for listing or registration shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Aiding or abetting false oath, etc.

Section 8. Whoever causes or attempts to cause his name to be registered, knowing that he is not a qualified voter in the place of such registration or attempted registration; whoever registers or attempts to register under a name other than his own; whoever represents or attempts to represent himself as some other person to any election commissioner, registrar or assistant registrar; whoever gives a false answer to any election commissioner, registrar or assistant registrar respecting any matter relating to his registration or his right to vote; whoever otherwise illegally registers or attempts to register; or whoever aids or abets any other person in doing any of the acts above mentioned, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Illegal registration, etc.

Section 9. Whoever refuses to obey the lawful orders or directions of an election commissioner, a registrar or assistant registrar, or interrupts or disturbs the proceedings at any registration shall be punished by a fine of not more than one hundred dollars.

Misconduct at registration.

Section 10. Whoever wilfully defaces or removes a notice relating to the registration of voters, or a voting list, posted according to law, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

Defacing or removing notice or voting list.

PENALTIES FOR OFFENCES CONCERNING CERTIFICATES OF NOMINATION, NOMINATION PAPERS, PETITIONS, ETC.

Section 11. Whoever falsely makes or wilfully alters, defaces, mutilates, destroys or suppresses a certificate of nomination or nomination paper, or letter of withdrawal of a name from such paper, or an initiative petition or a petition for the submission of a question to the voters, or unlawfully signs any such certificate, paper, letter or petition, or files any such certificate, paper, letter or petition, knowing the same to be falsely made or altered, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

Forgery, etc., of nomination paper, etc.

PENALTIES ON OFFICERS FOR OFFENCES IN THE CONDUCT OF PRIMARIES, CAUCUSES, CONVENTIONS AND ELECTIONS.

Section 12. An officer of a primary, caucus or convention who knowingly makes any false count of ballots or votes, or makes a false statement or declaration of the result of a ballot or vote, or knowingly refuses to receive any ballot offered by a person qualified to vote at such primary, caucus or convention, or wilfully alters, defaces or destroys any ballot

Misconduct of officer of primary, caucus or convention.

Failure to recount ballots when required.

cast, or voting list used thereat, before the requirements of law have been complied with, or refuses or wilfully fails to receive any written request made as thereby required, or refuses or wilfully fails to perform any duty or obligation imposed thereby shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

Failure to make proper entry on ballot of challenged voter.

Section 13. A presiding officer at a caucus, primary or state or city election, or at an election in a town or district at which official ballots are used, who, when the right of a person offering to vote is challenged for any legal cause, wilfully or negligently fails to require the name and residence of such person to be written upon the ballot offered by him, and to add thereto the name of the person challenging and the assigned cause, before such ballot is received, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months.

Giving information relative to vote of challenged voter.

Section 14. A primary, election or other officer whose duty it is to recount the ballots cast at a primary or election, who makes any statement or gives any information in regard to a ballot cast by a voter challenged at such primary or election, except as required by law, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

Reading names on ballot at certain elections.

Section 15. A presiding officer who, at a town election at which official ballots are not used, before the polls are closed and without the consent of a voter, reads or examines or permits to be read or examined, the names written or printed on the ballot of such voter, in order to ascertain the persons voted for by him, shall be punished by a fine of not more than one hundred dollars.

Failure to comply with laws relating to disposition of ballots and lists.

Section 16. A primary or election officer, or a director of the count or assistant appointed under section six of chapter fifty-four A, who wilfully violates any provision relating to the enclosing in envelopes or containers, sealing, endorsing and delivering or transmitting of ballots and voting lists, before or after the votes have been counted and recorded, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

Unlawful examination of ballots after election.

Section 17. A city or town clerk or an election commissioner who examines or permits to be examined, except as required by law, ballots cast at an election, which are received and retained by him under section one hundred and nine of chapter fifty-four, shall be punished by a fine of not more than two hundred dollars.

Failure to make and transmit copies of record of election.

Section 18. A city or town clerk or an election commissioner who fails to make a record of votes cast at an election and to make and transmit copies of any such record, as required by chapter fifty-four, shall be punished by a fine of not more than two hundred dollars; but if a copy of the records is deposited in the post office within the time fixed for transmission or delivery, postpaid and properly addressed, it shall be a bar to any complaint for delinquency.

Section 19. A city or town clerk, precinct clerk, election commissioner, mayor, alderman, selectman or other officer, who wilfully signs or issues a certificate not in accordance with the result of an election as appearing by the records and copies of records of votes cast, or by a recount of votes, shall be punished by imprisonment for not more than one year.

False certificates of result of election.

Section 20. Whoever refuses or wilfully neglects to comply with any regulation made by the election commissioners, aldermen or selectmen relative to the manner of receiving, counting and returning votes cast at a primary, caucus or election, or relative to the use of seals and ballot boxes, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

Violation of rules relative to conduct of primary, caucus or election.

Section 21. Any city or town officer trusted with the execution of the laws relative to absent voting, who wilfully violates any provision thereof, shall be punished by a fine of not more than one hundred dollars.

Misconduct relating to absent voting.

Section 22. A public officer, primary, caucus or election officer, director of the count or assistant appointed under section six of chapter fifty-four A, or officer or member of a political committee or convention, upon whom a duty is imposed by law, who refuses or wilfully fails to perform such duty, or who wilfully performs it contrary to law, shall be punished by a fine of not less than five nor more than one thousand dollars or by imprisonment for not more than one year, or both.

General penalty on officer.

PENALTIES ON INDIVIDUALS FOR OFFENCES RELATING TO THE CONDUCT OF PRIMARIES, CAUCUSES AND ELECTIONS.

Defacing Notices, etc.

Section 23. Whoever wilfully defaces or removes a notice or warrant for a primary, caucus or election posted according to law, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

Penalty for defacing or removing notice or warrant for primary, caucus or election.

Section 24. Whoever, before a primary or election, wilfully defaces or destroys any list of candidates posted according to law, or, during a primary, caucus or election, wilfully defaces, tears down, removes or destroys any card of instruction or specimen ballot posted for the instruction of voters, or during a primary, caucus or election, wilfully removes or destroys any of the supplies or conveniences furnished to enable a voter to prepare his ballot, shall be punished by a fine of not more than one hundred dollars.

Defacing, etc., list of candidates, instructions for voters, etc.

Offences by Voters.

Section 25. Whoever, at a primary, caucus or election, places any distinguishing mark upon his ballot, or makes a false statement as to his ability to mark his ballot, or allows the marking of his ballot to be seen by any person for any

Disclosing vote, false answer, etc., by voter.

purpose not authorized by law, or gives a false answer to or makes a false oath before a presiding officer, shall be punished by imprisonment for not more than six months or by a fine of not more than one hundred dollars.

Illegal
voting or
attempt to
vote.

Section 26. Whoever, knowing that he is not a qualified voter in any place, wilfully votes or attempts to vote therein; whoever votes or attempts to vote more than once on his own name, his name having been registered more than once; whoever votes or attempts to vote in more than one voting precinct or town, his name having been registered in more than one voting precinct or town; whoever votes or attempts to vote on any name other than his own, or knowingly casts or attempts to cast more than one ballot at one time of balloting; or whoever votes or attempts to vote otherwise illegally; shall be punished by imprisonment for not less than six months nor more than one year. This section shall apply to primaries, caucuses and elections.

Violation of
laws relative
to absent
voting.

Section 27. Whoever not being entitled to vote under the laws relative to absent voting votes or attempts to vote thereunder, or whoever being entitled to vote under said laws, knowingly votes or attempts to vote in violation thereof, shall be punished by a fine of not more than five hundred dollars and by imprisonment for not more than one year.

Interference with Voting.

Aiding or
abetting
illegal
voting.

Section 28. Whoever, at a primary, caucus or election, aids or abets a person, who is not entitled to vote, in voting or attempting to vote, or in voting or attempting to vote under a name other than his own, or in casting or attempting to cast more than one ballot, shall be punished by imprisonment for not less than six months nor more than one year.

Interfering
with voter.

Section 29. Whoever wilfully and without lawful authority hinders, delays or interferes with, or aids in hindering, delaying or interfering with, a voter while on his way to a primary, caucus or election, while within the guard rail, while marking his ballot or while voting or attempting to vote, or endeavors to induce a voter, before depositing his ballot, to disclose how he marks or has marked it, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

Wilfully
obstructing
voting.

Section 30. Whoever wilfully obstructs the voting at a primary, caucus or election shall be punished by a fine of not more than one hundred dollars.

Illegal
challenging.

Section 31. Any person challenging a qualified voter for purposes of intimidation, or of ascertaining how he voted, or for any other illegal purpose, shall be punished by a fine of not more than one hundred dollars.

CERTAIN PRACTICES FORBIDDEN.

Bribery
and corrup-
tion forbidden.

Section 32. No person shall, directly or indirectly, pay, give or promise to a voter, any gift or reward to influence his vote or to induce him to withhold his vote.

Violation of any provision of this section shall be punished by imprisonment for not more than one year. Penalty.

Section 33. No person shall, by threatening to discharge a person from his employment or to reduce his wages, or by promising to give him employment at higher wages, attempt to influence a voter to give or to withhold his vote, or, because of the giving or withholding of a vote, discharge a person from his employment or reduce his wages. Influencing voter in connection with employment forbidden.

Violation of any provision of this section shall be punished by imprisonment for not more than one year. Penalty.

Section 34. No person shall, to aid or promote his nomination or election to a public office, directly or indirectly promise to appoint or to secure or assist in securing the appointment, nomination or election of another person to a public position or employment or to a position of honor, trust or emolument, except that he may announce or define what is his choice or purpose in relation to an election in which he may be called to take part, if elected. Certain promises of appointment, etc., forbidden.

Violation of any provision of this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars. Penalty.

Section 35. No person holding a public office or in nomination for, or seeking a nomination for, or appointment to, an office, shall corruptly use or promise to use, directly or indirectly, any official authority or influence to confer upon any person, or to aid a person to obtain, an office or public employment, or a nomination, confirmation, promotion or increase of salary, upon the consideration or condition that the vote, political influence or action of any person shall be given or used in behalf of a candidate, officer or party, or upon any other corrupt condition or consideration. Promise of appointment, etc., for political action forbidden.

Violation of any provision of this section shall be punished by a fine of not less than one hundred nor more than one thousand dollars. Penalty.

Section 36. No person in the service of the commonwealth or of any county, city or town shall use his official authority or influence to coerce the political action of any person or body, or to interfere with any election. Use of official authority or influence to affect political action forbidden.

Violation of any provision of this section shall be punished by a fine of not less than one hundred nor more than one thousand dollars. Penalty.

Section 37. No member of the general court or paid officer or employee of the commonwealth shall promote or oppose, for a valuable consideration other than reimbursement for expenses actually incurred, the acceptance by the voters of any political subdivision of the commonwealth of any law conditioned to take effect therein upon such acceptance, or of any law or proposed law or constitutional amendment submitted under Article XLVIII of the amendments to the constitution, or an expression of opinion by the voters on any question of public policy. Certain officers, etc., not to promote or oppose for hire certain measures to be voted on at elections.

Any person taking or giving employment in violation of any provision of this section shall be punished by a fine Penalty.

of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Payments for editorial support, and their receipt, forbidden.

Section 38. No person shall pay the owner, editor, publisher, or agent of a newspaper or other periodical to induce him editorially to advocate or oppose any candidate for public office or political principle, or any question submitted to the voters; and no such owner, editor, publisher, or agent shall accept such payment. This section shall not apply to the outright purchase of such newspaper or periodical.

Publication of unsigned political advertisements forbidden. Advertisements to be marked as such.

Section 39. No person shall publish or cause to be published in a newspaper or other periodical, either in its advertising or reading columns, any paid matter designed or tending to aid, injure, or defeat any candidate for public office or any question submitted to the voters, unless the name of the chairman or secretary or the names of two officers of the political or other organization inserting the same, or the name of some voter who is responsible therefor, with his residence and the street and number thereof, if any, appear therein in the nature of a signature. Such matter inserted in reading columns shall be preceded or followed by the word "Advertisement" in a separate line, in type not smaller than that of the body type of the newspaper or other periodical. This section shall not authorize expenditures otherwise prohibited by this chapter.

Penalty.

Any corporation violating any provision of this section or section thirty-eight, relative to payments to newspapers and periodicals, and to political advertising, shall be punished by a fine of not more than ten thousand dollars, and any officer, director or agent of a corporation violating any such provision, who authorized such violation, or any person who violates, or in any way knowingly aids or abets the violation of, any such provision, shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year.

Use of names of political parties by certain organizations regulated.

Section 40. No organization consisting of two or more persons, other than a political committee duly elected in accordance with law or a corporation organized prior to January first, nineteen hundred and twenty-three, under the laws of this commonwealth and having as a part of its name the name of a political party, as defined by law, shall, in order to promote the success or defeat of a political party or principle or of a candidate in a public election, in any circular, advertisement or publication use in its organization name the name of such a political party, except with the written consent of the duly elected state committee representing such political party.

Penalty.

Any member of an organization subject to this section who participates in a violation of any provision of said section shall be punished by imprisonment for not more than six months or by a fine of not more than one thousand dollars, or both.

Certain unsigned circulars and posters forbidden.

Section 41. No person shall intentionally write, print, post or distribute, or cause to be written, printed, posted or

distributed, a circular or poster designed or tending to injure or defeat any candidate for nomination or election to any public office, by criticising his personal character or political action, or designed or tending to aid, injure or defeat any question submitted to the voters, unless there appears upon such circular or poster in a conspicuous place either the names of the chairman and secretary, or of two officers, of the political or other organization issuing the same, or of some voter who is responsible therefor, with his name and residence, and the street and number thereof, if any.

Violation of this section shall be punished by imprisonment for not more than six months. Penalty.

Section 42. No person shall make or publish, or cause to be made or published, any false statement in relation to any candidate for nomination or election to public office, which is designed or tends to aid or to injure or defeat such candidate. False statements in relation to candidates forbidden.

Whoever knowingly violates any provision of this section shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months. Penalty.

Section 43. No person shall prevent, hinder or interfere with the lawful distribution of any circular, poster, card, handbill, placard, picture or other printed matter intended to influence the action of a voter, and no person shall, wilfully and with intent to injure the person in whose behalf such printed matter was distributed, remove such matter from any residential premises to which it was delivered. Interference with distribution of circulars, etc., forbidden.

Violation of this section shall be punished by a fine of not more than one hundred dollars. Penalty.

Section 44. No individual, except as otherwise provided by law, and no non-elected political committee, shall distribute by mail, or otherwise or directly or indirectly cause to be distributed by mail or otherwise, a list or slate containing names of candidates for state office of more than one political party to be nominated at state primaries or to be elected at a biennial state election, unless against the name of each candidate on such list or slate appears his political party designation. Political party designation required on certain lists of candidates.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars. Penalty.

Section 45. No political committee and no person required to file a statement shall make any payment or promise of payment of money to or in behalf of any person for naturalization fees or for services as counsel or otherwise in assisting any one to obtain naturalization. Payments for naturalization fees, etc., forbidden.

Violation of any provision of this section shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars. Penalty.

Disorderly Conduct.

Section 46. Whoever, at a primary, caucus or election, behaves in a disorderly manner, and, after notice from the Disorderly conduct at polling place.

presiding officer or director of the count, persists in such behavior and refuses to withdraw from the polling place, or from the central counting place, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one month.

Disobeying
election
officer, etc.

Section 47. Whoever wilfully disobeys any lawful command of an election, caucus or primary officer shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one month.

Interference
with election
officer, city or
town clerk,
or election
commissioner.

Section 48. Whoever interferes, or aids or abets any person in interfering, with an election commissioner, city or town clerk, election officer, or director of the count or assistant appointed under section six of chapter fifty-four A, in the performance of his duties shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

Tampering with Ballots, etc.

Obstructing
transmission
of ballots
or returns.

Section 49. Whoever wilfully obstructs or interferes with the transmission of ballots or returns to or from a polling place or a central counting place shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

Altering
ballots, etc.

Section 50. Whoever alters a ballot cast at a primary or caucus or, not being authorized thereto, deposits a ballot in a ballot box, container or envelope used at a primary or caucus, or removes a ballot from such ballot box, container or envelope, shall be punished by imprisonment in jail for not more than two and one half years.

Tampering
with voting
machine,
ballot box,
etc.

Section 51. Any person who shall tamper with or injure or attempt to tamper with or to injure any voting machine to be used or being used in an election, or who shall prevent or attempt to prevent the correct operation of such machine, or any unauthorized person who shall make or have in his possession a key to a voting machine to be used or being used in an election, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than one nor more than two and one half years or in the state prison for not less than two and one half nor more than five years, or both.

False endorse-
ment, delay
in delivery of
ballots, etc.

Section 52. Whoever wilfully forges or falsely makes the official endorsement on any ballot, or wilfully destroys or defaces a ballot, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year.

Placing
identifying
mark on
ballot.

Section 53. Whoever places a mark against a name on a ballot not cast by himself, or places a distinguishing mark on a ballot not cast by himself, except as authorized by law, shall be punished by imprisonment for not more than two and one half years.

Removing
ballot from
within
guard rail.

Section 54. Whoever removes a ballot from the space enclosed by the guard rail before the close of the polls shall be punished by imprisonment for not more than one year.

Section 55. Whoever, with intent to defraud, alters a ballot cast at a primary, caucus or election; or, with such intent, deposits a ballot in the ballot box used at a primary, caucus or election, or in an envelope or container provided by law for the preservation of ballots cast at a primary, caucus or election; or, with such intent, removes a ballot from any such ballot box or envelope or container; shall be punished by imprisonment for not more than two and one half years.

Fraudulent alteration, etc., of ballot.

Section 56. Whoever gives any information derived from a recount of votes, relative to a ballot cast by a challenged voter at an election, caucus or primary, except as required by law, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year.

Giving information as to vote of challenged voter.

PROCEDURE AND ENFORCEMENT.

Section 57. Police officers and constables shall arrest without a warrant any person detected in the act of violating any provision of chapters fifty to fifty-six, inclusive.

Arrest without warrant.

Section 58. A prosecution for the violation of any provision of chapters fifty to fifty-six, inclusive, shall not, unless the purposes of justice require such disposition, be placed on file or disposed of except by trial and judgment according to the regular course of criminal proceedings. It shall be disposed of otherwise only upon written motion stating specifically the reasons therefor and verified by affidavit if facts are relied on. If the court or magistrate certifies in writing that he is satisfied that the cause relied on exists and that the interests of public justice require the allowance of the motion, the motion shall be allowed and the certificate of the court or magistrate shall be filed in the case. Nothing in this section shall be deemed to permit the suspension of the execution of the sentence of a person convicted of a violation of any provision of section twenty-six or twenty-eight of chapter fifty-six.

Prosecution not to be placed on file, etc.

Section 59. The supreme judicial and superior courts shall have jurisdiction at law, in equity or by mandamus to enforce the provisions of chapters fifty to fifty-six, inclusive. The supreme judicial court shall also have jurisdiction of any petition for a writ of mandamus relative to the division of a county into representative districts and the apportionment of representatives thereto under Article XXI of the amendments of the constitution or under section five of chapter fifty-seven. Every such petition shall be filed in court within thirty days after the filing of the report of such division and apportionment unless the court for cause shown extends the time.

Jurisdiction of supreme judicial and superior courts.

SECTION 12. This act shall take effect on April first, nineteen hundred and forty-seven. *Approved June 13, 1946.*

Effective date.

Chap. 538 AN ACT TO PROVIDE MORE NEARLY EQUAL PRIVILEGES FOR RETIREMENT OF MEMBERS OF CONTRIBUTORY RETIREMENT SYSTEMS WORKING PRIOR TO JANUARY FIRST, NINETEEN HUNDRED AND FORTY-SIX.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 32, § 3, etc., amended.

SECTION 1. Section three of chapter thirty-two of the General Laws, as appearing in section one of chapter six hundred and fifty-eight of the acts of nineteen hundred and forty-five, is hereby amended by inserting after subdivision (3) the following subdivision:—

Equal privileges for certain members.

(3A) An employee who is a member of a retirement system or who is entitled to become a member and who fulfills all the conditions required for a member during the period commencing July first, nineteen hundred and thirty-seven, and ending January first, nineteen hundred and forty-six, may pay into the annuity saving fund of the system in one sum, or in installments, upon such terms and conditions as the board may prescribe, make-up payments of an amount not to exceed that which would have been withheld as regular deductions from his regular compensation had the deductions been based on his total earnings rather than the prescribed limit or limits in force during this period, together with interest on such make-up payments. Upon the completion of payment of such make-up payments, together with interest thereon, such member shall be entitled to such additional retirement allowance as said additional contributions would entitle him. In the event such member retires before the completion of payment of such make-up payments and interest thereon, such member shall, in addition to the retirement allowance provided by his regular contribution, be entitled to credit for that proportion of his additional contribution made prior to the time of his retirement.

G. L. (Ter. Ed.), 32, § 4, etc., amended.

SECTION 2. Subdivision (1) of section four of said chapter thirty-two, as amended, is hereby further amended by inserting after paragraph (i), inserted therein by section one of chapter four hundred and ninety-three of the acts of the current year, the following paragraph:—

Credits.

(j) Credit shall be allowed for any additional contribution made by an employee for the period between July first, nineteen hundred and thirty-seven, and January first, nineteen hundred and forty-six, for salary in excess of the limit or limits allowed in the retirement system during that period.

G. L. (Ter. Ed.), 32, § 5, etc., amended.

SECTION 3. Paragraph (2) (a) of section five of said chapter thirty-two, as so appearing, is hereby amended by inserting after paragraph (iii) the following paragraph:—

Amount payable.

(iv) An additional amount of two fifths of his additional contributions for salary above the statutory limits on which contributions were allowed during the period from July first, nineteen hundred and thirty-seven, to January first, nineteen hundred and forty-six. *Approved June 13, 1946.*

AN ACT RELATIVE TO EXEMPTION FROM TAXATION OF INTEREST ON SHARE SAVINGS ACCOUNTS IN CO-OPERATIVE BANKS. Chap. 539

Be it enacted, etc., as follows:

Section one of chapter sixty-two of the General Laws, as amended, is hereby further amended by adding after paragraph Fourth of subdivision (a) the following paragraph:—

Fifth, Share savings accounts in co-operative banks incorporated as such in the commonwealth.

G. L. (Ter. Ed.), 62, § 1, etc., amended.

Exemption from taxation.

Approved June 13, 1946.

AN ACT PROVIDING THAT CERTAIN PROVISIONAL CIVIL SERVICE EMPLOYEES SHALL NOT BE DEEMED INELIGIBLE BY REASON OF INJURIES RECEIVED IN THE PERFORMANCE OF THEIR DUTIES. Chap. 540

Be it enacted, etc., as follows:

Chapter thirty-one of the General Laws is hereby amended by inserting after section fifteen D, inserted by section five of chapter seven hundred and four of the acts of nineteen hundred and forty-five, the following section:— *Section 15E.* Any person who has been injured in the performance of his duties while employed in a provisional capacity in a position in the service of the commonwealth or any city or town and who, because of such injury, is unable to meet the physical standards as established by the director for the position in which he has been provisionally employed shall not be deemed ineligible thereby to take any examination for permanent employment in any position under this chapter and, if he passes such examination, shall not be deemed ineligible to be permanently employed in any such position; provided, that he meets all other requirements of the civil service law and rules and furnishes proof satisfactory to the director that such injury was incurred in the performance of his duties and that he is unable to meet the physical requirements of the director solely because of such injury; and, provided further, that such injury does not incapacitate him for the performance of his duties.

G. L. (Ter. Ed.), 31, new § 15E, added.

Injuries received in performance of duty, not to render person ineligible to appointment, in certain cases.

Approved June 13, 1946.

AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION, WITH THE APPROVAL OF THE MASSACHUSETTS AERONAUTICS COMMISSION TO PROVIDE AN AREA FOR THE DEVELOPMENT OF A PUBLIC AIRPARK OR SEA-PLANE BASE. Chap. 541

Be it enacted, etc., as follows:

To encourage safe and reasonable flights of aircraft for private transportation within the metropolitan area, and to promote public interest in such flights, the metropolitan district commission may, in each instance with the prior

approval of the Massachusetts aeronautics commission, lease one or more suitable areas within any lands or waters maintained by it, for terms of not more than twenty years each, to any public corporation, educational institution or other non-profit organization of a scientific or research character, for the development of such area, by such lessee, as a landing area and public airpark or sea-plane base with air navigation facilities. Such lease may provide that the lessee shall have the complete management and control of such area, subject to rules and regulations from time to time promulgated by the Massachusetts aeronautics commission, may conduct thereon experimental activities in the field of aeronautics, and may sublease any part of such area to any person for supplying facilities, goods, commodities, things and services not inconsistent with the development of such an airpark or sea-plane base.

Approved June 13, 1946.

Chap. 542 AN ACT RELATIVE TO THE REGULATION OF THE TRANSPORTATION, HANDLING AND SALE OF MILK.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 94, new sections 16J, 16K and 16L, added.

Rules, etc., governing transportation, etc., of milk.

Chapter ninety-four of the General Laws is hereby amended by inserting after section sixteen I, as appearing in section three of chapter three hundred and five of the acts of nineteen hundred and thirty-two, the three following sections: — *Section 16J.* The milk regulation board shall establish from time to time, and may alter, amend or repeal, rules and regulations governing the handling and sale of milk within the cities and towns of the commonwealth, including the transportation of milk from the farm to a milk plant, receiving station or pasteurization plant located within the commonwealth, and the transportation of milk from the farm to a milk plant, receiving station or pasteurization plant located outside the commonwealth, which milk is intended for shipment thereafter into the commonwealth. It shall also establish from time to time, and may alter, amend or repeal, rules and regulations governing all milk plants, receiving stations and pasteurization plants, wherever located, shipping milk into or within the commonwealth. Boards of health of cities and towns may establish from time to time, and may alter, amend or repeal, rules and regulations for the handling and sale of milk within said cities and towns; but such rules and regulations, unless consistent with rules and regulations established by the milk regulation board and then in force, shall not take effect until they have been specifically approved by said board after hearing thereon.

Inspection of milk plants.

Section 16K. The division of dairying and animal husbandry shall inspect milk plants, receiving stations and pasteurization plants, wherever located, shipping milk into or within the commonwealth and, if the same be found to

be in compliance with all rules and regulations relating thereto, shall approve them and shall issue permits showing such approval. Every such permit shall expire on the thirty-first day of May following its issue, and may be suspended or revoked for the failure of the establishment to which it was issued to comply with rules and regulations relating thereto or for a violation, by such establishment, of any law relating to milk intended for sale within the commonwealth. Upon the application of any city or town, said division may delegate to the inspector of milk thereof its authority to inspect and approve milk plants, receiving stations and pasteurization plants from which milk is shipped to such city or town, to issue permits thereto under the provisions of this section and to suspend or revoke the same. A pasteurization plant located outside the commonwealth shall pay a fee of ten dollars for such a permit, but permits shall be issued to milk plants and receiving stations, and to pasteurization plants within the commonwealth, without cost. If any city or town to the milk inspector of which the power of inspection is delegated under any provision of this section fails to enforce rules and regulations established by the milk regulation board and then in force, said delegation of authority shall forthwith terminate.

Section 16L. Whoever sells, exchanges or delivers, or has in his possession with intent to sell, exchange or deliver, milk shipped into the commonwealth from a milk plant, receiving station or pasteurization plant which has not been inspected and approved, or to which a permit has not been issued as provided in section sixteen K, shall be punished for a first offence by a fine of not less than one hundred nor more than five hundred dollars, for a second offence by a fine of not less than five hundred nor more than one thousand dollars, and for a subsequent offence by a fine of one thousand dollars and by imprisonment for not less than three months. This section shall not apply to any sale, exchange or delivery of milk brought into the commonwealth under a temporary permit issued under section sixteen H.

Penalty.

Approved June 13, 1946.

AN ACT MAKING ABSOLUTE INSTEAD OF CONDITIONAL CERTAIN REDUCTIONS OF TERMS OF IMPRISONMENT FOR GOOD BEHAVIOR.

Chap. 543

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out section one hundred and twenty-nine, as most recently amended by section one of chapter forty-nine of the acts of nineteen hundred and forty-five, and inserting in place thereof the following: — *Section 129.* The officer in charge of each prison or other place of confinement, except a defective delinquent department, shall keep a record of the conduct of each prisoner

G. L. (Ter. Ed.), 127, § 129, etc., amended.

Deductions for good conduct.

in his custody whose term of imprisonment is four months or more. Every such prisoner whose record of conduct shows that he has faithfully observed all the rules of his prison or other place of confinement, and has not been subjected to punishment, shall be entitled to have the term of his imprisonment reduced by a deduction from the maximum term for which he may be held under his sentence or sentences, which shall be determined as follows: Upon a sentence of not less than four months and less than one year, one day for each month; upon a sentence of not less than one year and less than three years, three days for each month; upon a sentence of not less than three years and less than five years, four days for each month; upon a sentence of not less than five years and less than ten years, five days for each month; upon a sentence of ten years or more, six days for each month. If a prisoner has two or more sentences to be served concurrently or otherwise, the maximum period of time for which he may be held under his sentences shall be the basis upon which the deduction shall be determined. A prisoner in a state penal institution who has not been released on parole and who is entitled to have the term of his imprisonment reduced shall receive from the parole board a certificate of discharge and shall be released from the prison in which he has been confined, upon the date which has been determined by such a deduction from the maximum term of his sentence or sentences. A prisoner in a county penal institution who is entitled to have the term of his imprisonment reduced shall receive from the county commissioners or, in Suffolk county, the penal institutions commissioner of Boston, a certificate of discharge and shall be released from the prison in which he has been confined, upon the date which has been determined by such a deduction from the maximum term of his sentence or sentences. If a prisoner violates any of the rules of his prison or other place of confinement, the commissioner of correction, county commissioners, and, in Suffolk county, the penal institutions commissioner of Boston, upon the recommendation and evidence submitted to them respectively in writing by the warden, superintendent, or officer in charge, shall decide what part, if any, of such deduction of sentence or sentences shall be forfeited by such violation of the rules of his prison or other place of confinement. If a prisoner, while on parole from a state penal institution, violates his parole and is returned to the institution for such violation, the parole board shall determine what part, if any, of such deduction of sentence or sentences shall be forfeited as a result of such violation. If, during the term of imprisonment of a prisoner confined in a state or county institution, such prisoner shall commit any offence of which he shall be convicted and sentenced, all such deductions from the former sentence of imprisonment shall be thereby forfeited. A prisoner, heretofore or hereafter released on parole from a state penal institution, who has faithfully observed all the rules of his parole and has not been returned

to prison for the violation of his parole, shall be entitled to have the term of his imprisonment reduced by a deduction from the maximum term for which he may be held under the sentence or sentences to be determined in the same manner as if he had not been released on parole, and shall receive from the parole board, a certificate of final discharge and release from further supervision upon the date which has been determined by such a deduction from the maximum term of his sentence or sentences.

SECTION 2. Said chapter one hundred and twenty-seven is hereby further amended by striking out section one hundred and thirty, as appearing in section two of chapter six hundred and ninety of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section: — *Section 130.* No prisoner shall be granted a parole permit merely as a reward for good conduct or efficient performance of duties assigned in prison, but only if the board or officer having jurisdiction is of the opinion that there is a reasonable probability that, if such prisoner is released, he will live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society. A prisoner to whom a parole permit is granted shall be allowed to go upon parole outside of prison walls and inclosure upon such terms and conditions as the board or officer having jurisdiction shall prescribe, but shall remain, while thus on parole, subject to the jurisdiction of such board or officer until the expiration of the term of imprisonment to which he has been sentenced, or until the date which has been determined by a deduction from the maximum term of his sentence or sentences for good conduct.

G. L. (Ter. Ed.), 127, § 130, etc., amended.

Terms and conditions of parole.

SECTION 3. Said chapter one hundred and twenty-seven is hereby further amended by striking out section one hundred and thirty-two, as so appearing, and inserting in place thereof the following section: — *Section 132.* The parole board shall be charged with the duty of determining what prisoners, within its jurisdiction as defined in section one hundred and twenty-eight, in the penal institutions of the commonwealth or transferred therefrom to jails or houses of correction, may be released on parole and when and under what conditions. The power to grant a parole permit to any such prisoner and to revoke, revise, alter or amend the same and the terms and conditions on which it was granted shall remain in the parole board until the expiration of the maximum term of the sentence or sentences for the service of which such prisoner was committed notwithstanding the transfer of such prisoner from an institution of the commonwealth to any other institution. Said parole board shall also be charged with the duty of supervising all prisoners released on parole permits granted by it, of making such investigations as may be necessary in connection therewith, of determining whether violation of parole terms and conditions exists in specific cases and of deciding the action to be taken with reference thereto, and of aiding paroled prisoners to

G. L. (Ter. Ed.), 127, § 132, etc., amended.

Duties of parole board.

secure employment. The parole board shall also be charged with the duty of supervising all prisoners pardoned on parole conditions, and of reporting to the governor and to the warden, superintendent or keeper, respectively, of the institution in which the prisoner was confined at the time of his pardon, violations by any such prisoner of the parole conditions applicable to his pardon.

G. L. (Ter. Ed.), 127, § 134, etc., amended.

Procedure of board in granting paroles.

SECTION 4. Said chapter one hundred and twenty-seven is hereby further amended by striking out section one hundred and thirty-four, as so appearing, and inserting in place thereof the following section: — *Section 134.* No parole permit shall be granted by the parole board to an inmate in the state prison, the Massachusetts reformatory, the reformatory for women, the state prison colony or the state farm until the inmate has been seen by said board. The warden and superintendents of the penal institutions of the commonwealth, personally or by a representative, shall be present at all meetings of the parole board at which the board votes on the matter of the release from their respective institutions of a prisoner serving sentence for a felony or of a defective delinquent. Each member of the parole board shall record in clear and concise form the reasons for his or her decision in the matter of granting a parole permit to a prisoner serving a sentence for a felony or to a defective delinquent.

G. L. (Ter. Ed.), 127, § 136, etc., amended.

Hearings on parole.

SECTION 5. Said chapter one hundred and twenty-seven is hereby further amended by striking out section one hundred and thirty-six, as so appearing, and inserting in place thereof the following section: — *Section 136.* No application for release on parole of a prisoner made by him or on his behalf shall be entertained by the parole board, but such a release of a prisoner by said board shall be solely on its own initiative. In every case where a prisoner is serving a sentence for a felony, the parole board shall, within sixty days after such prisoner first becomes eligible for parole, grant such prisoner a hearing before the board and shall consider carefully and thoroughly the question whether a parole permit should be granted to such prisoner. Prisoners entitled to such a hearing shall, so far as reasonably practicable, be granted a hearing in the order in which they respectively become eligible for parole. At least one month prior to the time a prisoner serving sentence for a felony first becomes eligible for parole, the commissioner shall submit to the parole board or to an officer designated by it, all information with regard to such prisoner not already so submitted. Such information shall include, in addition to any other pertinent information: — (a) a report from the warden or superintendent of each prison in which such prisoner has been confined as to the prisoner's conduct in prison, with a detailed statement as to all infractions of prison rules and discipline, all punishments meted out to such prisoner, and the circumstances connected therewith, as well as a report from each such warden or superintendent as to the extent to which such prisoner has responded to the efforts made in prison to improve his mental

and moral condition, with a statement as to the prisoner's attitude toward society, toward the judge who sentenced him, toward the district attorney who convicted him, toward the policeman who arrested him, and how the prisoner then regards the crime for which he is in prison and his previous criminal career; (b) a report giving the prisoner's industrial record while in prison, the nature of his occupations while in prison, and a recommendation as to the kind of work he is best fitted to perform and at which he is most likely to succeed when he leaves prison; (c) a report of such physical, mental and psychiatric examinations as have been made of such prisoner which so far as practicable shall have been made within two months of the time of his eligibility for parole. The parole board shall reach its own conclusions as to the desirability of granting such prisoner a parole permit.

SECTION 6. This act shall not apply in the case of any prisoner serving a sentence imposed prior to the effective date of this act, if application of the provisions thereof would have the effect of making his punishment more severe.

Application of
act limited.

Approved June 13, 1946.

AN ACT INCREASING THE SALARIES OF THE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES OF THE SUPREME JUDICIAL COURT, OF THE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES OF THE SUPERIOR COURT, OF THE JUDGE, THE ASSOCIATE JUDGES AND THE RECORDER OF THE LAND COURT AND OF THE JUDGES OF PROBATE AND INSOLVENCY.

Chap. 544

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eleven of the General Laws is hereby amended by striking out section twenty-two, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 22.* The chief justice of the court shall receive a salary of eighteen thousand dollars and each associate justice a salary of seventeen thousand dollars, and the chief justice and each associate justice shall annually receive from the commonwealth, upon certificate of the chief justice, the amount of the expenses incurred by them in the discharge of their duties.

G. L. (Ter.
Ed.), 211,
§ 22, amended.

Salaries of chief
justice and
associate jus-
tices of the
supreme judi-
cial court.

SECTION 2. Chapter two hundred and twelve of the General Laws is hereby amended by striking out section twenty-seven, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 27.* The chief justice shall receive a salary of fifteen thousand five hundred dollars and each associate justice a salary of fourteen thousand five hundred dollars, and the chief justice and each associate justice shall annually receive from the commonwealth, upon the certificate of the chief justice, the amount of the expense incurred by them in the discharge of their duties.

G. L. (Ter.
Ed.), 212, § 27,
amended.

Salaries of chief
justice and
associate jus-
tices of the
superior court.

SECTION 3. Chapter one hundred and eighty-five of the General Laws is hereby amended by striking out section

G. L. (Ter.
Ed.), 185, § 14,
etc., amended.

Salaries of
judges and
recorder of the
land court.

fourteen, as most recently amended by section two of chapter four hundred and twenty-seven of the acts of the current year, and inserting in place thereof the following: — *Section 14.* The judge and associate judges of the land court shall each receive a salary of twelve thousand dollars and each shall annually receive, upon the certificate of the judge, the amount of the expenses incurred by him in the discharge of his duties, to be paid by the commonwealth. The recorder shall receive a salary of seventy-five hundred dollars. Each deputy recorder shall receive such compensation as shall be fixed by the judge, subject to the approval of the governor and council. Except as provided in section ten A, the compensation and salaries of examiners of title and all assistants and messengers shall be fixed by the governor and council. All salaries and expenses of the court shall be paid by the commonwealth, except the salaries of the assistant recorders and the expenses incurred by them under this chapter and the compensation and expenses of their technical assistants appointed under section ten A, which shall be paid by the respective counties. All fees collected by the assistant recorders, except those received upon the filing of petitions, which shall be transmitted with the petitions to the recorder, shall be paid to their respective counties.

G. L. (Ter.
Ed.), 217, § 34,
etc., amended.

SECTION 4. Chapter two hundred and seventeen of the General Laws is hereby amended by striking out section thirty-four, as amended by section one of chapter four hundred and eight of the acts of nineteen hundred and thirty-seven, and inserting in place thereof the following section: — *Section 34.* The salaries of all judges of probate shall be paid by the commonwealth and are hereby established as follows: —

Salaries of
judges of
probate.

	COUNTY.	SALARY.
Group I	Suffolk	\$13,000
Group II	Middlesex	12,000
	Norfolk	12,000
Group III	Bristol	10,000
	Essex	10,000
	Hampden	10,000
	Worcester	10,000
Group IV	Barnstable	8,000
	Berkshire	8,000
	Franklin	8,000
	Hampshire	8,000
	Plymouth	8,000
Group V	Dukes	3,500
	Nantucket	3,500

Effective date.

SECTION 5. This act shall not take effect until an appropriation has been made sufficient to cover the increases provided for therein, and then as of July first in the current year.

Approved June 13, 1946.

AN ACT MAKING THE MINIMUM WAGE LAW, SO CALLED, *Chap. 545*
APPLICABLE TO ADULT MALE PERSONS.

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter one hundred and fifty-one of the General Laws, inserted by section one of chapter four hundred and one of the acts of nineteen hundred and thirty-seven, and acts in amendment thereof and in addition thereto shall, after the effective date of this act, be applicable to all persons employed within the occupations and positions covered thereby regardless of age or sex, in the same manner and to the same extent as if all such persons had been expressly included within the scope of said provisions; and wherever in said provisions a reference is made to women or minors such reference shall be held to include all persons employed within the occupations and positions covered thereby regardless of age or sex.

SECTION 2. Every order or regulation issued prior to the effective date of this act pursuant to such provisions, or corresponding provisions of earlier laws, which, by its terms, applies to women or minors in any occupations and positions shall, after said effective date, be applicable to all persons employed within such occupations and positions in the same manner and to the same extent as if all such persons had been expressly included within the scope of said provisions at the time such order or regulation was issued.

SECTION 3. For the purpose of carrying out the provisions of this act, there may be expended such sums, not exceeding thirty-five thousand dollars, as may hereafter be appropriated.

Approved June 13, 1946.

AN ACT GRANTING THE TOWN OF ASHLAND FURTHER AUTHORITY IN CONNECTION WITH THE CONSTRUCTION OF A SEWERAGE SYSTEM AND AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO FINANCE CERTAIN WORKS IN CONNECTION THEREWITH. *Chap. 546*

Be it enacted, etc., as follows:

SECTION 1. In addition to the authority granted the town of Ashland to construct a system of sewers under chapter eighty-six of the acts of nineteen hundred and forty-six, said town may either (a) construct, maintain and operate suitable works for intercepting and pumping sewage from said town to the sewage treatment works of the town of Framingham for treatment, authorized by said chapter eighty-six, or (b) said town of Ashland may construct, operate and maintain sewage treatment works adjacent to the existing sewage treatment works of the town of Framingham and may construct, maintain and operate suitable works for intercepting and pumping sewage from said town of Ashland to its sewage treatment works constructed as aforesaid. Said town of Ashland may for the purposes of

this act, at any time, or from time to time, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such lands, water rights, easements, and other property or interest in property in the towns of Natick and Framingham as it may deem necessary for the construction, operation and maintenance of said works. All takings under this act of property, or rights in property, and all proceedings in relation to or growing out of such takings shall conform to the pertinent provisions of chapter seventy-nine of the General Laws.

SECTION 2. Said town of Ashland may enter upon and dig up any private lands, public way, or railroad location for the purposes of installing such works and of maintaining and repairing same, and may do any other thing proper or necessary for the purposes of this act; provided, that any work on the public ways of Natick and Framingham shall be done in such manner as to cause the least hindrance to public travel thereon and shall be restored to the satisfaction of the board of selectmen of the respective towns; and provided, further, that the town of Ashland shall not take in fee any land of a railroad corporation and shall not enter upon or construct any works within the location of any railroad corporation, except at such time and in such manner as it may agree upon with such corporation or, in case of failure to agree, as may be approved by the department of public utilities.

SECTION 3. The cost of constructing the works for pumping and conveying the sewage and the necessary lands, water rights, easements and other property or interest in property shall be paid by the metropolitan district commission. For the cost of maintenance and operation of the above works, said commission shall pay and the town of Ashland shall accept in lieu of annual payments a lump sum of fifteen thousand dollars. The cost of constructing, maintaining and operating sewage treatment works constructed by the town of Ashland shall be paid by said town and for such construction and the acquisition of necessary land said town may use such funds as may be borrowed under section eight of said chapter eighty-six and expenditures made therefrom for such purpose shall be deemed within the purposes for which said borrowings were authorized.

SECTION 4. To meet the cost of construction, maintenance and operation to be paid by the metropolitan district commission under the provisions of this act, the state treasurer shall from time to time on the request of said commission borrow on the credit of the commonwealth, a sum or sums, not exceeding, in the aggregate, one hundred and seventy-five thousand dollars, and may issue in one or more series bonds, notes or other forms of written acknowledgment of debt, hereinafter referred to as obligations. Each series shall carry such rates of interest and shall be payable serially in such amounts and at such times as the state treasurer may determine, with the approval of the governor; provided,

that the principal payments of each series shall be made annually in amounts as nearly equal as may be. The obligation last payable of any series issued for the purpose of carrying out said projects shall become due not later than such number of years from the date of the obligations of such series, not exceeding twenty years, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the amendments to the constitution of the commonwealth. All obligations issued under this act shall be signed by the state treasurer and approved by the governor, and shall be payable, as to both principal and interest, in such funds as are, on the respective dates of payment of such principal and interest, legal tender for the payments of debts due the United States of America.

SECTION 5. All interest payments and payments on account of principal on such obligations, in so far as the proceeds of such obligations are used to meet the costs to the metropolitan district commission, shall be paid and applied, apportioned, assessed and collected in the manner provided by the provisions of chapter ninety-two of the General Laws, as amended, relative to the metropolitan water system.

SECTION 6. No act shall be done under authority of the preceding sections, except in the making of surveys and other preliminary investigations, until the plans for the intercepting and pumping of sewage as authorized have been approved by the department of public health and the metropolitan district commission. Upon application to said department of public health for its approval, it shall give a hearing, after due notice to the public. At such hearing, plans showing in detail all the work to be done in constructing said works shall be submitted for approval by said department.

SECTION 7. This act shall take full effect upon its acceptance by vote of the majority of the voters of the town of Ashland voting thereon at any annual or special town meeting held within five years after its passage. No expenditure shall be made and no liability incurred hereunder until such acceptance.

Approved June 13, 1946.

AN ACT PROVIDING FOR THE PLACING OF VETERANS' CHILDREN IN FOSTER HOMES. *Chap. 547*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and nineteen of the General Laws is hereby amended by striking out section one, as amended by section one of chapter six hundred and twenty-nine of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section: — *Section 1.* Whoever for hire, gain or reward has in his custody or control at one time two or more infants, not related to him by blood or marriage, who are under fourteen years of age and un-

G. L. (Ter. Ed.), 119, § 1, etc., amended.

Boarding house for infants, defined.

attended by a parent or guardian, for the purpose of providing them with care, food and lodging, except such of said infants as are two years of age or over but under fourteen years of age and have been placed in his custody or control by the department of public welfare of the commonwealth, in this chapter called the department, by any board of public welfare, by the institutions department of Boston or by any charitable corporation organized under the laws of the commonwealth, and except such of said infants as are two years of age or over but under fourteen years of age, are members of the same family and have been placed in his custody and control by any municipal veterans' service department, shall be deemed to maintain a boarding house for infants. This section shall not apply to a private school furnishing board and lodging to pupils and approved as provided in section one of chapter seventy-six, or to camps conducted for children during the summer months.

G. L. (Ter. Ed.), 119, § 2, etc., amended.

Licensing of boarding houses for infants.

SECTION 2. Section two of said chapter one hundred and nineteen, as amended by section two of said chapter six hundred and twenty-nine, is hereby further amended by inserting after the word "commonwealth" in the eleventh line the words: — , or by any municipal veterans' service department, — so as to read as follows: — *Section 2.* The department may grant licenses to maintain boarding houses for infants. Every application therefor shall first be approved by the board of health of the town where such boarding house is to be maintained. The term of each such license shall be one year and the fee therefor shall be five dollars, except that no fee shall be required of any such boarding house all the infants in which have been placed therein by the department, by any board of public welfare, by the institutions department of Boston or by any charitable corporation organized under the laws of the commonwealth, or by any municipal veterans' service department, or by any combination of such departments, boards or corporations. Each such license shall state the name of the licensee, the particular premises where the business may be carried on, the maximum number of infants which may be boarded there at one time, and, if required by the department, it shall be posted in a conspicuous place on the licensed premises. No greater number of infants than is authorized by the license shall be boarded at one time on the premises, and no infant shall be kept in a building or place not designated in the license. A record of licenses issued shall be kept by the department, which shall forthwith give notice of the granting of each such license and of its terms to the board of health of the town where the licensee resides. The department and boards of health shall annually, and may, at any time, visit and inspect premises so licensed or designate a person therefor.

G. L. (Ter. Ed.), 119, § 6, etc., amended.

SECTION 3. Section six of said chapter one hundred and nineteen, as amended by section three of said chapter six hundred and twenty-nine, is hereby further amended by inserting after the word "commonwealth" in the thirteenth line

the words: — , or from any municipal veterans' service department, — so as to read as follows: — *Section 6.* Whoever receives under his care or control, and whoever places under the care or control of another for compensation, an infant under fourteen years of age, not related by blood or marriage to the person receiving it, shall, within two days thereafter, give notice thereof, and of the terms upon which such infant was received, to the department, with the name, age and residence of the infant, its parents, and the persons from whom and by whom received; but if such an infant under two years of age was received from the board of public welfare of any town, or from the institutions department of Boston, or from any charitable corporation organized under the laws of the commonwealth, or from any municipal veterans' service department, such notice may state only the name and age of such infant and the name and location of the board, department or corporation from which received.

Notice to department of receiving infant for care.

SECTION 3A. Said chapter one hundred and nineteen is hereby further amended by striking out section eleven, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 11.* Sections nine and ten shall not apply to the department, the board of public welfare of a town, the institutions department of Boston, any incorporated charitable institution, or the officers or agents thereof, or any municipal veterans' service department.

G. L. (Ter. Ed.), 119, § 11, amended.

Application of certain sections.

SECTION 4. Section fourteen of said chapter one hundred and nineteen, as amended by section six of said chapter six hundred and twenty-nine, is hereby further amended by inserting after the word "commonwealth" in the seventh line the words: — , or from any municipal veterans' service department, — so as to read as follows: — *Section 14.* Whoever receives and whoever places an infant under fourteen years of age for adoption or for giving it a home, or for procuring a home or adoption for it, except infants over two years of age received from the board of public welfare of any town, or from the institutions department of Boston, or from any charitable corporation organized under the laws of the commonwealth, or from any municipal veterans' service department, shall give written notice to the department of the receiving or placing of such infant, with its name, age and birthplace, and the name and residence of its parents, and upon request of the department shall give information and render reports required by it concerning such infant, and within two days after its discharge shall give written notice to the department of the discharge and disposal of such infant. The department may investigate the case, and at any time prior to a decree of adoption take any such infant into its custody if in its judgment public interest and the protection of the infant so require.

G. L. (Ter. Ed.), 119, § 14, etc., amended.

Adoption of certain infants regulated.

Approved June 13, 1946.

Chap. 548 AN ACT RELATIVE TO PROVIDING HIGHER EDUCATIONAL OPPORTUNITIES FOR THE CHILDREN OF MASSACHUSETTS MEN AND WOMEN WHO DIED IN THE ARMED FORCES OF THE UNITED STATES DURING TIME OF WAR, OR AS A RESULT OF SUCH SERVICE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 69, new § 7B, added.

Higher education for children of certain veterans.

SECTION 1. Chapter sixty-nine of the General Laws is hereby amended by inserting after section seven A, inserted by section one of chapter four hundred and thirty-nine of the acts of the current year, the following section: — *Section 7B.* The commonwealth, acting through the department, may contribute toward the expenses of the higher education of any child, resident in the commonwealth and not under sixteen years of age, whose father or mother entered the armed forces of the United States in time of war and was killed in action or died from other cause as a result of such service.

Any child who is eligible under this section shall, upon becoming a student in any state or county educational institution or other educational institution approved in writing by the commissioner of education, be entitled to reimbursement by the commonwealth, in an amount not to exceed two hundred and fifty dollars in any year, for expenses for tuition, board and room rent, transportation, and books and supplies necessary or incidental to his pursuit of study at such educational institution. Such reimbursement shall be made to such child, or his guardian, if any, on the presentation of vouchers therefor approved by the said commissioner. Such payments shall continue for the benefit of a child only during such time as he remains a student in good standing in the institution in which he is enrolled, and in no event shall any student receive the benefits provided by this section for more than four years.

The said commissioner shall determine the eligibility of children for the benefits provided for in this section.

Repeal.

SECTION 2. Chapter two hundred and sixty-three of the acts of nineteen hundred and thirty, as amended by chapter five hundred and seven of the acts of nineteen hundred and forty-five, is hereby repealed. *Approved June 13, 1946.*

Chap. 549 AN ACT RELATIVE TO THE FURNISHING OF WATER TO TOWNS IN THE METROPOLITAN WATER DISTRICT AND CERTAIN OTHER TOWNS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 92, § 10, etc., amended.

SECTION 1. Paragraph (2) of section ten of chapter ninety-two of the General Laws, as appearing in section one of chapter five hundred and eighty-seven of the acts of nineteen hundred and forty-five, is hereby amended by striking out, in the fourth line, the words "with the approval

of" and inserting in place thereof the words: — in case of an emergency as determined by, — so as to read as follows: —

(2) The commission, on application of any non-member town eligible for membership, or any water company or water supply, water, fire or fire and water district, located within such town, may, in case of an emergency as determined by the state department of public health, hereinafter in this section called the department, construct a suitable connection with the system of the metropolitan water district and furnish water therefrom to any such non-member town, water company or district on payment of such sum as the commission may, after October first, nineteen hundred and forty-three, determine, and may continue to furnish the same notwithstanding any provision of section forty of chapter forty. Each such non-member town, or water company or district so supplied with such water shall be assessed and pay, as prescribed by section twenty-six, its fair share of the cost of connection as determined by the commission and certified to the state treasurer, which may, if and as determined by the commission, be distributed over a period not exceeding ten years.

Connection with non-member towns, etc.

SECTION 2. Paragraph (4) of said section ten, as so appearing, is hereby amended by striking out, in the first and second lines, the words "each instance with the approval of" and inserting in place thereof the words: — case of any emergency as determined by, — so as to read as follows: —

G. L. (Ter. Ed.), 92, § 10, etc., further amended.

(4) Authority is hereby granted, in case of any emergency as determined by the department, to any water company or town obtaining its water supply wholly or in part from the metropolitan water district to provide a connection and a supply of water to any adjoining town having an inadequate water supply. Any town or water company obtaining its water supply wholly or in part from the metropolitan water district shall promptly upon request furnish to the commission a certified statement and description of its connections for supplying water to any town specified in such request.

Connections between member town, etc., and certain adjoining non-member towns authorized.

SECTION 3. Paragraph (5) of said section ten, as so appearing, is hereby amended by adding at the end the following: — The payment of any entrance fee, may, if and as determined by the commission, be distributed over a period not exceeding ten years.

G. L. (Ter. Ed.), 92, § 10, etc., further amended.

Payment of entrance fee.

SECTION 4. Said section ten is hereby further amended by striking out paragraph (6), as so appearing, and inserting in place thereof the following paragraph: —

G. L. (Ter. Ed.), 92, § 10, etc., further amended.

(6) As used in this chapter, the word "valuation" means the taxable valuation last established by the general court as a basis of apportionment for state and county taxes, the word "membership" refers only to the towns named herein as members and to others which are from time to time admitted to membership by the commission upon their application, and the words "eligibility to membership" apply to any other town any part of which is within ten miles of the

Definitions.

state house and to any other town any part of which is within fifteen miles of the state house which the commission can reasonably supply with water.

G. L. (Ter. Ed.), 92, § 10, etc., further amended.

Classification of positions, etc.

SECTION 5. Paragraph (10) of said section ten, as amended by chapter two hundred and forty-three of the acts of nineteen hundred and forty-six, is hereby further amended by striking out the words "not less than he received from such town", and inserting in place thereof the following:— equal to that paid by the commission to its employees in positions similar to the one from which the town employee is transferred. Classifications of positions of, and salaries to be paid to, employees so transferred shall be as established by the division of personnel and standardization of the commission on administration and finance.

G. L. (Ter. Ed.), 92, § 26, etc., amended.

SECTION 6. Section twenty-six of said chapter ninety-two, as most recently amended by section six of chapter four hundred and thirty-two of the acts of the current year, is hereby further amended by striking out the first two paragraphs and inserting in place thereof the two following paragraphs:—

Assessments for maintenance, etc., of water works.

The state treasurer shall, in each year, beginning with the year nineteen hundred and forty-six, assess the towns that are members of the metropolitan water district and the towns that are eligible to membership and are supplied with water by the district as follows: (a) In the case of each town that was a member of, and took its entire supply from, the district at the beginning of the year an amount equal to the rate of forty dollars per million gallons times its estimated consumption, taken as the number of million gallons of water consumed in the previous calendar year; (b) In the case of each town that joined, or commenced to take its entire supply from, the district during the previous year, an additional amount equal to said rate times the quantity furnished it by the district in that year and not certified by the commission to have been already covered by previous payments; and (c) In the case of each member town that has not so commenced and of each eligible non-member town, or water company or water supply, water, fire or fire and water district, located within such town, an amount equal to said rate times the quantity furnished it by the district in the previous year. The commission shall certify to the state treasurer the information as to dates and quantities of water consumed necessary to determine such assessments.

The state treasurer shall annually notify each town assessed under the provisions of this section and, except as otherwise provided by section twenty-six A, of section ten, of the amount of its assessment, and the same shall be paid by the town, water supply, water or fire and water district to the commonwealth as required by law and within the time therein prescribed. The commission shall annually notify the commissioner of corporations and taxation of the liability of any water company for assessments under the provisions

of sections ten and twenty-six and said commissioner shall collect such cost as a part of the franchise tax of such water company. All such payments shall be transferred to the state treasurer and used by him to meet the expenses of maintenance and operation of the metropolitan water works.

SECTION 7. Section twenty-six A of said chapter ninety-two, inserted by section three of said chapter five hundred and eighty-seven, is hereby amended by striking out the first and second sentences and inserting in place thereof the two following sentences:—Beginning with the year nineteen hundred and forty-six the state treasurer shall borrow on the credit of the commonwealth such sums as may be necessary each year to meet the balance, not met by the assessments authorized in sections ten and twenty-six, of the requirements for maintenance and operation, for miscellaneous interest, for any credits to member towns, for the sinking fund and for interest and principal payments on all bonds issued for the construction of the metropolitan water system, and on all bonds issued under the authorization of this section. For such purpose each year the state treasurer is authorized to issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, for the amount of said balance.

G. L. (Ter. Ed.), 92, § 26A, etc., amended.

State treasurer to borrow on credit of commonwealth.

Approved June 13, 1946.

AN ACT RELATIVE TO MEETINGS OF THE BOARD OF DENTAL EXAMINERS AND TO THE REGISTRATION OF CERTAIN PERSONS BY THE BOARD OF REGISTRATION OF HAIRDRESSERS.

Chap. 550

Be it enacted, etc., as follows:

SECTION 1. Chapter thirteen of the General Laws is hereby amended by striking out section twenty, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—*Section 20.* The board shall hold regular meetings at its offices on the second Tuesday of February, June and October, and may hold additional meetings at such times and places as it shall determine. At its meeting next following the appointment of a new member under section nineteen, the board shall choose from its own number a chairman and a secretary.

G. L. (Ter. Ed.), 13, § 20, amended.

Meetings, organization.

SECTION 2. Section eighty-seven W of chapter one hundred and twelve of the General Laws, as most recently amended by section three of chapter five hundred and sixty-five of the acts of nineteen hundred and forty-three, is hereby further amended by adding at the end the following sentence:—Any person who is registered as a hairdresser, operator or instructor may, upon payment of said fee, be registered also as a demonstrator, and may thereafter practice as such.

G. L. (Ter. Ed.), 112, § 87W, etc., amended.

Registration of demonstrators.

SECTION 3. Section eighty-seven GG of said chapter one hundred and twelve, as most recently amended by section ten of said chapter five hundred and sixty-five, is hereby further amended by adding at the end the following sentence:

G. L. (Ter. Ed.), 112, § 87GG, etc., amended.

Renewal of
registration.

—Notwithstanding the foregoing provisions, a person who has at any time been registered both as a hairdresser and as an instructor, if he has annually renewed either such registration, may renew the other. *Approved June 13, 1946.*

Chap.551 AN ACT PROVIDING FOR THE REPAIR BY THE DEPARTMENT OF PUBLIC WORKS OF THE EXISTING SEA WALLS ON THE EAST SIDE OF ANNISQUAM RIVER CANAL IN GLOUCESTER HARBOR.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to repair the existing sea walls on the east side of the Annisquam river canal at or near Blynman bridge, so called, in Gloucester harbor, in accordance with and as shown on the plan prepared by the division of waterways of said department. One half of the cost of said work shall be paid by the commonwealth, subject to appropriation, and one half thereof shall be paid by the city of Gloucester.

Approved June 13, 1946.

Chap.552 AN ACT PROVIDING FOR CO-OPERATION BY THE COMMONWEALTH WITH THE VETERANS ADMINISTRATION IN THE ADMINISTRATION OF FEDERAL LAWS AND REGULATIONS RELATING TO THE REHABILITATION OF DISABLED VETERANS OF WORLD WAR II.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 15, § 6A,
etc., amended.

State board
for vocational
education.

SECTION 1. Chapter fifteen of the General Laws is hereby amended by striking out section six A, as most recently amended by chapter five hundred and thirty-one of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section: — *Section 6A.* The commissioner and the advisory board of education, and one person to be appointed by the governor, with the advice and consent of the council, which appointee shall be a person who, on account of his vocation, employment, occupation or affiliation, can be classed as a representative of organized labor, are hereby constituted and designated as the state board for vocational education to co-operate with the office of education, Federal Security Agency, in the administration of the act of congress approved June second, nineteen hundred and twenty, entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry and otherwise and their return to civil employment", and acts in amendment thereof and in addition thereto, if any, and to co-operate with the veterans administration in the administration of federal laws and regulations relative to the rehabilitation of disabled veterans of World War II, and to secure for the commonwealth the benefits of said acts, laws and regulations. For the purpose of carrying out the provisions of sections twenty-two A, twenty-two B and twenty-two D of chapter seventy-four said state

board for vocational education shall be furnished with suitable quarters in the state house and may expend for salaries and other necessary expenses such amount as shall be appropriated therefor by the general court, together with any funds received by the state treasurer from the federal government under the provisions of said acts.

SECTION 2. Section twenty-one of chapter seventy-four of the General Laws, as amended by section ten of chapter four hundred and forty-six of the acts of nineteen hundred and thirty-eight, is hereby further amended by inserting after the word "classes" in the fifth line the words: — or courses for training, — so as to read as follows: — *Section 21.* Subject to the following section, the funds received under said acts of congress mentioned in section nineteen shall be paid out, on requisition of the commissioner, as reimbursement for expenses already incurred, to approved schools and classes or courses for training entitled to receive them under said acts.

G. L. (Ter. Ed.), 74, § 21, etc., amended.

Expenditure of federal funds.

SECTION 3. Said chapter seventy-four is hereby further amended by inserting after section twenty-two C, inserted by chapter five hundred and sixty-one of the acts of nineteen hundred and forty-five, the following section: — *Section 22D.* Said state board for vocational education is hereby directed to co-operate with the veterans administration in carrying out the provisions of federal laws and regulations relating to the rehabilitation of disabled veterans of World War II; to establish and maintain such schools, classes or courses for training as it is deemed advisable and necessary for the education, training and rehabilitation of disabled veterans and other veterans of World War II; to establish and maintain, or to assist in establishing or maintaining, with the consent of the commissioner on administration and finance, and with the approval of the governor, training facilities within the various institutions and departments of the federal government and of the commonwealth or any political subdivision thereof, located within the commonwealth; to co-operate with the veterans administration in the selection of the number of trainees to be placed in training, or otherwise to carry out the provisions of said federal laws and regulations.

G. L. (Ter. Ed.), 74, new § 22D, added.

Board to co-operate with veterans administration.

SECTION 4. When there are vacancies under the classified civil service in positions involving the kind of work for which disabled veterans of World War II may receive training under the provisions of federal laws and regulations relating to the rehabilitation of such veterans, the director of civil service may on the request of the appointing authority authorize it to make provisional appointments of such disabled veterans as are certified by the veterans administration as eligible for training for such positions, which appointments may continue in force for the duration of their training periods as certified by the veterans administration under said federal laws and regulations, the provisions of chapter thirty-one of the General Laws or the rules and regulations

made thereunder to the contrary notwithstanding; provided, that no appointments hereunder shall affect the rights of any other disabled veterans. The provisions of this section shall continue in force and effect nine years after the termination of the present war.

SECTION 5. The action of the governor in making and issuing on August thirty-first, nineteen hundred and forty-four, an executive order authorizing the board of collegiate authority of the department of education to compile and furnish to the administrator of veterans affairs a list of the educational and training institutions (including industrial establishments) within the commonwealth which are qualified and equipped to furnish education or training (including apprenticeship and refresher, or re-training, training) to such persons as shall enroll under Part VIII of Title II of Public Law 346, 78th Congress, chapter 268, 2nd Session, entitled "An Act to provide Federal Government Aid for the Readjustment in Civilian Life of Returning World War II Veterans", and any amendments thereof or additions thereto, is hereby expressly ratified and confirmed.

Approved June 13, 1946.

Chap. 553 AN ACT FURTHER REGULATING CERTAIN ADDITIONAL WEEKLY PAYMENTS TO INJURED EMPLOYEES UNDER THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 152, § 35A, etc., amended.

Additional payments to certain employees.

Chapter one hundred and fifty-two of the General Laws is hereby amended by striking out section thirty-five A, inserted by chapter seven hundred and seventeen of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section: — *Section 35A.* Where the injured employee has persons conclusively presumed to be dependent upon him or in fact so dependent, the sum of two dollars and fifty cents shall be added to the weekly compensation payable under sections thirty-four, thirty-four A and thirty-five, for each person wholly dependent on the employee, but in no case shall the aggregate of such amounts exceed the average weekly wages of the employee. For the purposes of this section the following persons shall be conclusively presumed to be wholly dependent for support upon an employee: —

(a) A wife upon a husband with whom she lives at the time of his injury.

(b) A husband upon a wife with whom he is living at the time of her injury; provided, that he is physically or mentally incapacitated from earning.

(c) Children under the age of eighteen years if living with the employee at the time of his injury, or, if the employee is bound or ordered by law, decree or order of court, or by any other lawful requirement, to support such children, although living apart from them.

(d) A parent upon an unmarried child under the age of eighteen.

In all other cases questions of dependency shall be determined in accordance with the fact as the fact may be at the time of the injury.

The department or any member thereof may in its or his discretion order the insurer or self-insurer to make payment of the two dollars and fifty cents aforesaid directly to the dependent.

Approved June 13, 1946.

AN ACT PROVIDING FOR THE CONSTRUCTION BY THE DEPARTMENT OF CORRECTION OF A NEW STATE PRISON IN THE TOWN OF BRIDGEWATER. Chap.554

Be it enacted, etc., as follows:

The department of correction is hereby authorized to construct, on land owned by the commonwealth in the town of Bridgewater, a new state prison. For the purposes of this act, said department may expend such sums as may hereafter be appropriated therefor.

Approved June 13, 1946.

AN ACT PROVIDING FOR THE ABOLITION BY THE DEPARTMENT OF PUBLIC WORKS, BY THE USE OF FEDERAL FUNDS, OF CERTAIN GRADE CROSSINGS IN THE TOWN OF BELMONT. Chap.555

Be it enacted, etc., as follows:

If and when funds sufficient to meet the cost of the work hereinafter referred to have been made available under the provisions of any federal statute, the department of public works is hereby authorized to abolish the present grade crossings over the location of the Boston and Maine Railroad in the town of Belmont at Trapelo road and Lexington street; provided, that the entire cost of such work shall be met solely out of such federal funds.

Approved June 13, 1946.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE PARENTS OF FRANCIS RICCI. Chap.556

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Boston may pay a sum, not exceeding five thousand dollars, to the parents of Francis Ricci, who died on June ninth, nineteen hundred and forty-five, as a result of being accidentally shot by a police officer of said city.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved June 13, 1946.

Chap. 557 AN ACT FURTHER REGULATING THE COMMITMENT AND PAROLE OF DEFECTIVE DELINQUENTS AND DRUG ADDICTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 123, § 115, etc., amended.

Physicians' certificates to be filed in certain cases.

SECTION 1. Chapter one hundred and twenty-three of the General Laws is hereby amended by striking out section one hundred and fifteen, as amended by section three of chapter one hundred and eighty-five of the acts of nineteen hundred and forty-three, and inserting in place thereof the following section:—*Section 115.* No person shall be committed to a department for defective delinquents under section one hundred and thirteen or one hundred and fourteen or be removed thereto under section one hundred and sixteen unless the report of the department of mental health required under said section contains a certificate by the two experts in insanity who examined him that such person is mentally defective. Within thirty days of such a commitment or transfer every person so committed or transferred shall be again examined by two experts in insanity as provided in section one hundred and thirteen. No person shall be committed to a department for the care and treatment of drug addicts under section one hundred and thirteen or one hundred and fourteen unless there has been filed with the judge a certificate by two physicians qualified as provided in section fifty-three that such person is addicted to the intemperate use of stimulants or narcotics. The fees of the experts or physicians issuing such certificates or issuing certificates under section one hundred and seventeen A shall be of the amount and paid in the manner provided for like service in sections three to one hundred and twelve, inclusive.

G. L. (Ter. Ed.), 123, § 118, etc., amended.

Parole of defective delinquents.

SECTION 2. Said chapter one hundred and twenty-three is hereby further amended by striking out section one hundred and eighteen, as most recently amended by chapter one hundred and fifty of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:—*Section 118.* The parole board in the department of correction may parole inmates of the departments for defective delinquents or drug addicts on such conditions as it deems best, and may, at any time during the parole period, recall to the institution any inmate paroled. Within three months of the commitment of a person as a defective delinquent, and at least once in each ensuing year unless said person is sooner released, said board shall examine such person. In all other respects the parole of defective delinquents may be regulated by rules of the parole board.

Approved June 13, 1946.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A SUM OF MONEY TO HELEN R. O'BRIEN. *Chap.558*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the city of Boston is hereby authorized to pay a sum of money, not exceeding five thousand dollars, to Helen R. O'Brien, mother of Henry F. O'Brien, who was killed on February twenty-second, nineteen hundred and forty-two, while an inmate at the Long Island hospital.

SECTION 2. This act shall take full effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved June 13, 1946.

AN ACT AUTHORIZING INCREASES OF THE AMOUNTS OF PENSIONS PAYABLE TO CERTAIN FORMER PUBLIC EMPLOYEES WHO HAVE BEEN RETIRED. *Chap.559*

Be it enacted, etc., as follows:

SECTION 1. The amount of the pension, or of the retirement allowance, of any former employee of the commonwealth or of any county, city, town or district thereof, including teachers, who was retired, prior to January first, nineteen hundred and forty-six, under any provision of general or special law, may be increased by an amount not exceeding twenty per cent thereof; provided, that such increase shall not be made in the case of a pension or of a retirement allowance which is in excess of one thousand dollars in amount; and provided, further, that no pension or retirement allowance shall be increased hereunder by an amount that will make the same exceed one thousand dollars; and provided, further, that the provisions of this act shall not apply in the case of any person whose pension or retirement allowance is increased under the provisions of any other general or special act of the current year.

SECTION 2. This act shall not take effect in any county, city, town or district until accepted in a county by the county commissioners thereof, in a city by a two thirds vote of the city council, with the approval of the mayor or city manager, in a town by a two thirds vote at a town meeting, and in a district by its prudential committee.

SECTION 3. The increases provided by this act shall date from September first, nineteen hundred and forty-six in the case of persons retired under the teachers' retirement system and under the retirement system for state employees.

Approved June 13, 1946.

Chap. 560 AN ACT RELATIVE TO THE SUSPENSION OF CERTAIN PROVISIONS OF THE LABOR LAWS RELATING TO THE HOURS OF EMPLOYMENT OF WOMEN AND CHILDREN IN THE MANUFACTURE OF TEXTILE GOODS, AND TO THEIR MEAL PERIODS.

Emergency
preamble.

Whereas, The threat of competition in the textile industry in this commonwealth is such that the immediate taking effect of this act is required, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. No male under eighteen and no female shall be employed in the manufacture of textile goods before six o'clock in the morning or after eleven o'clock in the evening. No male under eighteen and no female shall be employed in any establishment wherein the manufacture of textile goods is carried on, while run on the basis of more than one shift, for more than six hours at one time without an interval of at least thirty minutes for a meal, but he or she may be employed therein for not more than six and one half hours at one time if such employment ends not later than one o'clock in the afternoon and if he or she is then dismissed from such establishment for the remainder of the day, or for not more than seven and one half hours at one time if he or she is allowed sufficient opportunity for eating a lunch during the continuance of such employment and if such employment ends not later than two o'clock in the afternoon and he or she is then dismissed from such establishment for the remainder of the day. Any employer, superintendent, overseer, agent or other person who violates any provision of this act shall be punished for a first offence by a fine of not less than fifty nor more than one hundred dollars, and for a subsequent offence by a fine of not less than one hundred nor more than two hundred dollars or by imprisonment for not more than two months, or both. This act shall remain in effect until April first, nineteen hundred and forty-seven, and until said date the provisions of sections fifty-nine and sixty-six of chapter one hundred and forty-nine of the General Laws shall not apply in the case of the manufacture of textile goods, and the provisions of section one hundred of said chapter, except so far as applicable in the case of establishments run on a one shift basis, shall not apply in the case of the manufacture of such goods.

SECTION 2. Chapter one hundred and twenty-seven of the acts of the current year is hereby repealed.

Approved June 14, 1946.

Chap. 561 AN ACT TEMPORARILY RELAXING THE TERMS OF ORDINANCES OR BY-LAWS RESTRICTING THE USE AND OCCUPATION OF TWO AND ONE HALF STORY HOUSES, SO CALLED.

Emergency
preamble.

Whereas, There is a serious temporary housing shortage, dangerous to the public health and convenience, which can

be materially lessened if vacant rooms in two and one half story houses, so-called, can be made immediately available for use and occupation, and the public good requires the temporary relaxation of ordinances and by-laws regulating the use and occupation of such houses; and

Whereas, The deferred operation of this act will tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

SECTION 1. Any board of appeals established under the provisions of section thirty of chapter forty of the General Laws, after a hearing held in accordance with its rules and with the provisions of said section thirty, in so far as the same may be applicable, and by the concurring vote of all of its members, may authorize a variance or exception from the terms of an ordinance or by-law adopted under sections twenty-five to thirty, inclusive, of said chapter forty, to permit the use and occupation as a dwelling, by not more than three families, of any two and one half story house, so called; and any such variance or exception may be made conditional upon the making of any alterations or structural changes in such a house that, in the opinion of the board, may be necessary for the protection of the health, safety or convenience of the occupants of the same or of the owners or occupants of any property deemed by the board to be affected by its action; provided, that no such variance or exception shall be so authorized after the expiration of two years from the passage hereof, nor unless such board of appeals finds that the same will not be a substantial detriment to the public good and will not substantially damage any neighboring property.

SECTION 2. This act shall become operative in any city upon its acceptance by the mayor and council, and in any town upon its acceptance by the selectmen.

Approved June 14, 1946.

AN ACT PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, REPAIR AND OPERATION OF A HIGH LEVEL TOLL BRIDGE BETWEEN THE CITIES OF BOSTON AND CHELSEA OVER THE MYSTIC RIVER AND THE TRACKS OF THE BOSTON AND MAINE RAILROAD, PROVIDING FOR THE CREATION OF THE MYSTIC RIVER BRIDGE AUTHORITY AND DEFINING ITS POWERS AND DUTIES AND PROVIDING FOR THE FINANCING OF SAID PROJECT. *Chap. 562*

Whereas, The deferred operation of this act would tend to defeat its purpose which is to remove the critical hazards and handicaps in vehicular traffic between the cities of Boston and Chelsea by providing for the construction of a modern high level bridge between said cities without cost to the commonwealth or to either of said cities, therefore

**Emergency
preamble.**

this act is hereby declared to be an emergency law necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. *Mystic River Bridge.* — In order to remove the present handicaps and hazards in vehicular traffic between the cities of Boston and Chelsea, and to provide for the construction of a modern bridge structure between said cities without cost to the commonwealth or to either of said cities, the Mystic river bridge authority hereinafter created is hereby authorized and empowered to construct, maintain, repair and operate a high level toll bridge without a draw over the Mystic river and the tracks of the Boston and Maine Railroad at such location, adjacent to or near the existing bridge connecting Chelsea street in the Charlestown district of the city of Boston with Broadway in the city of Chelsea, as shall be approved by the state department of public works, and to issue its bridge revenue bonds, payable solely from revenues, to pay the cost of constructing such bridge and approach facilities.

SECTION 2. *Credit of Commonwealth or any Political Subdivision thereof not Pledged.* — Bridge revenue bonds issued under the provisions of this act shall not be deemed to constitute a debt of the commonwealth or of any political subdivision thereof or a pledge of the faith and credit of the commonwealth or of any such political subdivision, but such bonds shall be payable solely from the funds herein provided therefor from revenues. All such bridge revenue bonds shall contain on the face thereof a statement to the effect that neither the authority nor the commonwealth nor any political subdivision thereof shall be obligated to pay the same or the interest thereon except from revenues of the bridge and that neither the faith and credit nor the taxing power of the commonwealth or any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds.

SECTION 3. *Mystic River Bridge Authority.* — There is hereby created a body politic and corporate to be known as the "Mystic River Bridge Authority", which shall be deemed to be a public instrumentality for the purposes of this act, and by that name the authority may sue and be sued, plead and be impleaded, contract and be contracted with, and shall have an official seal and may alter the same at pleasure.

The Mystic river bridge authority shall consist of five members, including the state commissioner of public works, who shall be a member ex officio, and four members appointed by the governor, by and with the advice and consent of the council. The appointive members shall be residents of the commonwealth, and shall include one resident of the city of Chelsea and one resident of the city of Boston. Not more than two of the appointive members shall be of the same

political party. The members of the authority first appointed shall continue in office for terms expiring on July first, nineteen hundred and fifty, July first, nineteen hundred and fifty-two, July first, nineteen hundred and fifty-four, and July first, nineteen hundred and fifty-six, respectively, the term of each such member to be designated by the governor, and until their respective successors shall be duly appointed and qualified. The successor of each such member shall be appointed for a term of eight years, except that any person appointed to fill a vacancy shall be appointed to serve only for the unexpired term. Any member of the authority shall be eligible for reappointment. Each appointed member of the authority may be removed by the governor, with the advice and consent of the council, for misfeasance, malfeasance or wilful neglect of duty, but only after reasonable notice and a public hearing, unless the same are in writing expressly waived. Each appointed member of the authority before entering upon his duties shall take an oath before the governor to administer the duties of his office faithfully and impartially, and a record of such oaths shall be filed in the office of the state secretary.

The authority shall elect one of the appointed members as chairman and another as vice chairman, and shall also elect a secretary-treasurer who need not be a member of the authority. Three members of the authority shall constitute a quorum and the vote of three members shall be necessary for any action taken by the authority. No vacancy in the membership of the authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority. Before the issuance of any bridge revenue bonds under the provisions of this act, each member of the authority shall execute a surety bond, with a surety company authorized to transact business in this commonwealth as surety, in the penal sum of twenty-five thousand dollars and the secretary-treasurer shall execute such a bond in the penal sum of fifty thousand dollars, conditioned upon the faithful performance of the duties of his office, each such surety bond to be approved by the attorney general and filed in the office of the state secretary. Each appointive member of the authority shall receive the sum of twenty dollars for each day or part thereof of service as a member, provided that no such member shall receive in any one year for such service a sum in excess of four thousand dollars. Each member shall be reimbursed for his actual expenses necessarily incurred in the performance of his duties. All expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and no liability or obligation shall be incurred by the authority hereunder beyond the extent to which moneys shall have been provided under authority of this act.

SECTION 4. *Definitions.* — As used in this act, the following words and terms shall have the following meanings,

unless the context shall indicate another or different meaning or intent:—

(a) The word "authority" shall mean the Mystic river bridge authority, created by section three of this act, or, if said authority shall be abolished, the board, body or commission succeeding to the principal functions thereof or to whom the powers given by this act to the authority shall be given by law.

(b) The word "bridge" shall mean the bridge to be constructed under the provisions of this act, and shall embrace the substructures and the superstructure thereof, and the entrance plazas and the approaches thereto, together with all property, rights, easements and interests acquired by the authority for the construction or the operation of the bridge.

(c) The term "approach facilities" shall include such interchanges, overpasses, underpasses, surface roads and connecting highways (including elevated or depressed highways), extending from a point north of Vine and Chelsea streets in the Charlestown district of Boston to a point at or near Winnisimmet square in Chelsea, as the authority may determine, together with all property, rights, easements and interests acquired by the authority for the construction of such facilities.

(d) The term "project" shall include the bridge and the approach facilities.

(e) The term "cost of the project" shall embrace the cost of construction, the cost of acquisition of all land, rights-of-way, property, rights, easements and interests acquired by the authority for such construction, the cost of all machinery and equipment, financing charges, interest prior to and during construction and for one year after completion of construction, cost of traffic estimates and of engineering and legal expenses, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or incident to determining the feasibility or practicability of constructing the project, administrative expense, and such other expenses as may be necessary or incident to the construction of the project, the financing of such construction and the placing of the project in operation, and shall also include the expenses incurred in removing the present bridge over the main channel of the Mystic river and now or formerly known as the Chelsea North bridge. Any obligation or expense hereafter incurred by the state department of public works for traffic surveys, borings, preparation of plans and specifications, and other engineering services in connection with the construction of the project shall be regarded as a part of the cost of the project and shall be reimbursed to the commonwealth out of the proceeds of the bridge revenue bonds hereinafter authorized.

SECTION 5. *General Grant of Powers.*—The authority is hereby authorized and empowered:—

(a) To construct, maintain, repair and operate the project;

(b) To issue revenue bonds of the authority, payable solely from revenues, for the purpose of paying all or any part of the cost of the project;

(c) To fix and revise from time to time tolls for transit over the bridge;

(d) To adopt by-laws for the regulation of its affairs and the conduct of its business;

(e) To acquire, hold and dispose of real and personal property for its corporate purposes;

(f) To acquire in its own name by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain in accordance with the provisions of chapter seventy-nine of the General Laws in so far as such provisions may be applicable, such public or private lands, public parks, playgrounds or reservations, or parts thereof or rights therein, including lands or rights therein under the control of the metropolitan district commission, and public or private ways as it may deem necessary for carrying out the provisions of this act; provided, that no damages shall be paid for public lands or playgrounds, parks, parkways or reservations so taken; and provided, that the members of the authority shall act in its name and on its behalf in exercising its functions under this clause, and provided further, that before taking any private property the authority shall give security to the state treasurer, in such amount and in such form as may be determined by the department of public works, for the payment of such damages as may be awarded in accordance with law for such taking, and that the provisions of section forty of said chapter seventy-nine, in so far as the same may be applicable, shall govern the rights of the authority and of any person whose property is so taken;

(g) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, and to employ consulting engineers, superintendents, managers, and such other engineers, construction and accounting experts, and attorneys, and such other employees and agents, as may be necessary in its judgment, and to fix their compensation; provided, that all such expenses shall be payable solely from the proceeds of revenue bonds issued under the provisions of this act or from the revenues of the bridge;

(h) To receive and accept from any federal agency grants for or in aid of the construction of the project, and to receive and accept contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made; and

(i) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

SECTION 6. *Bridge Revenue Bonds.* — The authority is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of revenue bonds of the

authority for the purpose of paying all or any part of the cost of the project. The principal and interest of such bonds shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rates not exceeding four per centum per annum, shall mature at such time or times not exceeding forty years from their date or dates, as may be determined by the authority, and may be made redeemable before maturity, at the option of the authority, at such price or prices and under such terms and conditions as may be fixed by the authority prior to the issuance of the bonds. The authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All revenue bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the commonwealth. The bonds may be issued in coupon or in registered form, or both, as the authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The authority may sell such bonds in such manner, either at public or at private sale, and for such price, as it may determine to be for the best interests of the authority, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than four per centum per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, excluding, however, from such computation the amount of any premium to be paid on redemption of any bonds prior to maturity.

The proceeds of such bonds shall be used solely for the payment of the cost of the project, and shall be disbursed in such manner and under such restrictions, if any, as the authority may provide. If the proceeds of such bonds, by error of estimates or otherwise, shall be less than such cost, additional bonds may in like manner be issued to provide the amount of such deficit, and, unless otherwise provided in the resolution authorizing the issuance of the bonds or in the trust agreement hereinafter mentioned, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued. If the proceeds of the bonds shall exceed the cost of

the project, the surplus shall be used for the retirement of such bonds. Prior to the preparation of definitive bonds, the authority may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The authority may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Revenue bonds may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this act.

The authority is hereby authorized to provide by resolution for the issuance of revenue refunding bonds of the authority for the purpose of refunding any revenue bonds then outstanding and issued under the provisions of this act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the authority, for the additional purpose of constructing or reconstructing any approach facilities. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the duties of the authority in respect of the same, shall be governed by the provisions of this act in so far as the same may be applicable.

While any bonds issued by the authority remain outstanding, the powers, duties, or existence of the authority shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds.

SECTION 7. *Exemption from Taxation.* — The exercise of the powers granted by this act will be in all respects for the benefit of the people of the commonwealth, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of the bridge by the authority will constitute the performance of essential governmental functions, the authority shall not be required to pay any taxes or assessments upon the project or any property acquired or used by the authority under the provisions of this act or upon the income therefrom, and the revenue bonds and revenue refunding bonds issued under the provisions of this act, their transfer and the income therefrom (including any profit made on the sale thereof) shall at all times be free from taxation within the commonwealth.

SECTION 8. *Trust Agreement.* — In the discretion of the authority such revenue bonds or revenue refunding bonds may be secured by a trust agreement by and between the authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. Such trust agreement may pledge

or assign the revenues to be received, but shall not convey or mortgage the bridge or any part thereof. Either the resolution providing for the issuance of bonds or such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the construction, improvement, maintenance, operation, repair and insurance of the project and the custody, safeguarding and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth to act as depository of the proceeds of bonds or of revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the authority. Such trust agreement may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of corporations. In addition to the foregoing, such trust agreement may contain such other provisions as the authority may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of the operation of the bridge.

SECTION 9. *Revenues.* — The authority is hereby authorized to fix, revise, charge and collect tolls for the use of the bridge and to contract with any person, partnership, association or corporation desiring the use of the bridge, its approaches, and appurtenances or any part thereof, for any purpose, and to fix the terms, conditions, rents and rates of charges for such use. Such tolls shall be so fixed and adjusted in respect of the aggregate of tolls from the bridge as to provide a fund sufficient with other revenues of the bridge, if any, to pay (a) the cost of maintaining, repairing and operating the bridge, (b) the principal of and the interest on such revenue bonds as the same shall become due and payable, and (c) reserves for such purposes. Such tolls shall not be subject to supervision or regulation by any department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof. The tolls and all other revenues derived from the bridge, except such part thereof as may be necessary to pay such cost of maintenance, repair and operation and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds or in the trust agreement, shall be set aside at such regular intervals as may be provided in such resolution or such trust agreement in a sinking fund which is hereby pledged to, and charged with, the payment of: (1) the interest upon such bonds as such interest shall fall due, (2) the principal of the bonds as the same shall fall due, (3) the necessary charges of paying agents for paying principal and interest, and (4) the redemption price or the purchase price of bonds retired by call or purchase as therein provided.

Subject to the provisions of the resolution authorizing the issuance of revenue bonds or of the trust agreement, such sinking fund shall be a fund for all such bonds without distinction or priority of one over another. The moneys in the sinking fund, less such reserve as may be provided in such resolution or trust agreement, if not used within a reasonable time for the purchase of bonds for cancellation as above provided, shall be applied to the redemption of bonds at the redemption price then applicable.

SECTION 10. *Trust Funds.* — All moneys received pursuant to the authority of this act, whether as proceeds from the sale of revenue bonds or as revenues, shall be deemed to be trust funds, to be held and applied solely as provided in this act. The authority shall, in the resolution authorizing the issuance of revenue bonds or in the trust agreement, provide for the payment of the proceeds of the sale of such bonds and all revenues to be received to any officer who, or to any agency, bank or trust company which, shall act as trustee of such funds and shall hold and apply the same to the purposes hereof, subject to such regulations as this act and such resolution or trust agreement may provide.

SECTION 11. *Bonds Eligible for Investment.* — Revenue bonds and revenue refunding bonds issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section forty of chapter one hundred and seventy-two of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them, and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by clause fifteenth (c) of section fifty-four of chapter one hundred and sixty-eight of the General Laws. Such revenue bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the commonwealth for any purpose for which the deposit of bonds or other obligations of the commonwealth now or may hereafter be authorized by law.

SECTION 12. *Remedies.* — Any holder of revenue bonds or revenue refunding bonds issued under the provisions of this act or of any of the coupons appertaining thereto, and the trustee under the trust agreement, if any, except to the extent the rights herein given may be restricted by such resolution or trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under such resolution or

trust agreement, and may enforce and compel the performance of all duties required by this act or by such resolution or trust agreement to be performed by the authority or by any officer thereof, including the fixing, charging and collecting of tolls for the use of the bridge.

SECTION 13. *Maintenance of the Project.* — When constructed, the bridge shall be maintained and kept in good condition and repair by and at the expense of the authority, and the services of the state department of public works, so far as the same are available or expedient, may be utilized by the authority for this purpose. All charges and costs for such maintenance and repairs actually incurred by said state department of public works shall be paid to it by the authority.

When the approach facilities shall have been completed, they shall become public ways and shall be kept in good condition and repair by the city in which they are situated, and the provisions of section twenty-five of chapter eighty-one of the General Laws shall apply thereto.

SECTION 14. *Miscellaneous.* — When the bridge shall have been completed and opened for traffic, the authority shall immediately close and remove the bridge over the main channel of the Mystic river and now or formerly known as the Chelsea North bridge, together with so much of the approaches as are no longer needed for highway purposes, and the cost of such removal shall be deemed to be a part of the cost of the project authorized by this act. Any public ways so closed shall be deemed to be discontinued and shall thereupon cease to be public ways without further action by the municipality or other public body under whose jurisdiction they existed as ways. Any funds received from the sale of materials taken from the bridge and approaches so removed shall be deposited to the credit of the sinking fund hereinabove provided for the bridge revenue bonds issued under the provisions of section six of this act.

After the effective date of this act and so long as any bonds issued under the provisions thereof shall be outstanding, no bridge, tunnel or ferry, for vehicular traffic, shall be constructed by the commonwealth or any political subdivision thereof, and no franchise shall be granted for the construction or operation of such a bridge, tunnel or ferry, over, under or across the Mystic river between its junction with Chelsea creek and a point one mile upstream from the location of the bridge authorized by this act.

The commonwealth hereby consents to the use of all lands lying under water which are necessary for the construction or operation of the project. The authority and its agents and employees may enter upon any lands, waters and premises of the commonwealth for the purpose of making such surveys, soundings, drillings and examinations as it may deem necessary or convenient for the purpose of this act, and any such entry shall not be deemed a trespass.

Until the bridge shall have become a part of the state

highway system under the provisions of section fifteen, the authority, as the person obliged by law to repair the same, shall be liable to any person sustaining bodily injury or damage in his property by reason of a defect or want of repair therein or thereupon, to the same extent as though the bridge were a way within the meaning of sections fifteen, eighteen and nineteen of chapter eighty-four of the General Laws, and shall be liable for the death of any person caused by such defect or want of repair as provided in chapter two hundred and twenty-nine of the General Laws; provided, that the authority shall not be liable for such injury, damage or death sustained because of the want of a railing in or upon the bridge, or during the construction, reconstruction or repair thereof, and further provided, that the amount which may be recovered for any such injury or damage shall not exceed four thousand dollars. Any notice of such injury, damage or death required by law shall be given to any member of the authority or to the secretary-treasurer.

Any person damaged in his property by the exercise of any of the powers granted by this act may recover his damages from the authority under chapter seventy-nine of the General Laws.

On or before the thirtieth day of January in each year the authority shall make an annual report of its activities for the preceding calendar year to the governor and to the general court. Each such report shall set forth a complete operating and financial statement covering its operations during the year. The authority shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants and the cost thereof may be treated as a part of the cost of construction or of operation of the bridge. Such audits shall be deemed to be public records within the meaning of chapter sixty-six of the General Laws.

Any member, agent or employee of the authority who contracts with the authority or is interested, either directly or indirectly, in any contract with the authority or in the sale of any property, either real or personal, to the authority shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

SECTION 15. *Cessation of Tolls.* — When all bridge revenue bonds or bridge revenue refunding bonds issued under the provisions of this act and the interest thereon shall have been paid or a sufficient amount for the payment of all such bonds and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, the bridge, if then in good condition and repair to the satisfaction of the department of public works, shall become a part of the state highway system and shall be maintained by said department free of tolls, and thereupon the authority shall be dissolved and all funds of the authority not required for the payment of the bonds shall be paid into

the treasury of the commonwealth and all machinery, equipment and other property belonging to the authority shall be vested in the commonwealth and delivered to the department of public works.

SECTION 16. *Appropriation.* — To provide for the preliminary expenses of the authority in carrying out the provisions of this act, the sum of one hundred thousand dollars is hereby appropriated from the general fund or revenue of the commonwealth, which sum shall be paid to the authority and any sum so paid shall be reimbursed by the authority to the commonwealth out of the proceeds of any revenue bonds which may be issued under the provisions of this act.

SECTION 17. *Act Liberally Construed.* — This act, being necessary for the welfare of the commonwealth and its inhabitants, shall be liberally construed to effect the purposes thereof.

SECTION 18. *Constitutional Construction.* — The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 19. *Inconsistent Laws Inapplicable.* — All other general or special laws, or parts thereof, inconsistent herewith are hereby declared to be inapplicable to the provisions of this act.

Approved June 14, 1946.

Chap. 563 AN ACT PROVIDING FOR THE PROTECTION OF THE SHORE IN
THE TOWN OF MARSHFIELD.

Be it enacted, etc., as follows:

SECTION 1. Subject to the conditions herein imposed, the department of public works is hereby authorized and directed to repair and construct sea walls and jetties and place riprap for the purpose of protecting the shore in the town of Marshfield from erosion by the sea. No work shall be begun until the town of Marshfield has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that may be incurred hereunder, nor until there has been paid into the state treasury by the county of Plymouth a sum of money representing the county's share of the total amount to be spent under this act, and by said town of Marshfield a sum of money representing the town's share of the total amount to be spent under this act, which, together with a sum of money representing one half of the total amount to be spent, as may hereafter be appropriated by the commonwealth, shall constitute a fund for the improvements herein authorized; provided, that the total cost of such improvements shall not exceed one hundred thousand dollars; and provided, further, that if any of the aforesaid sum remains after the completion of such improvements, proportions representing the shares of said county and said town in such unexpended balances shall be repaid to them.

SECTION 2. The cost of the work under this act designated by the department to be "sea wall repair, jetty construction or repair, and the placing of riprap" shall be paid as follows:— fifty per cent by the commonwealth, twenty-five per cent by said county and twenty-five per cent by said town. The cost of the work under this act designated by the department to be "sea wall construction" shall be paid as follows:— fifty per cent by the commonwealth, sixteen and two thirds per cent by said county and thirty-three and one third per cent by said town.

SECTION 3. For the purpose of meeting the payments required to be made by the county of Plymouth under this act, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time, on the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, twenty-one thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Plymouth County-Marshfield Sea Wall Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 4. The county treasurer, with the approval of the commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under section three, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by said section. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 5. For the purpose of meeting the payments required to be made by the town of Marshfield under this act, said town may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue notes therefor, which shall bear on their face the words, Town of Marshfield, Sea Wall Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid within ten years from their dates. Indebtedness incurred by said town under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws.

SECTION 6. Betterments may be assessed by said town of Marshfield, under chapter eighty of the General Laws, upon estates specially benefited by the improvements of "sea

wall construction" hereby authorized; provided, that the total amount of such assessments shall not exceed one half the amount of the payments required to be made by said town for the work designated to be "sea wall construction" under this act; and the proceeds of such assessments shall be used to pay indebtedness incurred by said town under section five.

SECTION 7. This act shall take full effect upon its acceptance during the current year by vote of the county commissioners of Plymouth county and by vote of the town of Marshfield in town meeting and the filing in the office of said department of certified copies of said votes.

Approved June 14, 1946.

Chap. 564 AN ACT RELATIVE TO THE TIME WITHIN WHICH AN APPEAL MAY BE TAKEN TO THE APPELLATE TAX BOARD FROM THE MEALS TAX, SO CALLED.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 64B, § 7, amended.

Failure to file returns.

Chapter sixty-four B of the General Laws is hereby amended by striking out section seven and inserting in place thereof the following section: — *Section 7.* If a taxpayer, having failed to file a return, or having filed an incorrect or insufficient return, without reasonable excuse fails to file within twenty days after the receipt of notice by him from the commissioner of his delinquency, a correct and sufficient return and to pay the tax therein shown to be due and interest thereon as provided in section six, the commissioner, at any time within three years from the date when the return should have been filed, shall determine the amount due and give written notice of the amount so determined to the taxpayer. The amount so determined shall be payable forthwith and shall bear interest at the rate of six per cent per annum from the date when the original correct return should have been filed to the date of payment. The taxpayer, within thirty days after the receipt of such notice of the amount so determined, may appeal from the decision of the commissioner to the appellate tax board, whose decision shall be final. The taxpayer shall be reimbursed by the commonwealth for any overpayment of tax determined by the decision of the appellate tax board, with interest at the rate of six per cent per annum from the time of payment.

Approved June 14, 1946.

Chap. 565 AN ACT TO ASCERTAIN THE WILL OF THE PEOPLE WITH REFERENCE TO THE QUESTION OF THE ENACTMENT OF LEGISLATION BY THE GENERAL COURT PROVIDING FOR JURY SERVICE BY WOMEN, AND PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMITTEE ON THE JUDICIARY RELATIVE TO SAID SUBJECT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of ascertaining the will of the people with reference to the enactment of legislation by the

general court providing for jury service by women the state secretary shall cause to be placed on the official ballot to be used at the biennial state election in the current year the following question: — "Shall the General Court enact legislation requiring jury service by women, with such reservations as it may prescribe?"

SECTION 2. The votes upon said question shall be received, sorted, counted and declared, and copies of records thereof transmitted to the state secretary, laid before the governor and council, and by them opened and examined, in accordance with the laws relating to votes for state officers and copies of records thereof, so far as such laws are applicable. The governor shall make known the result by declaring the number of votes in the affirmative and the number in the negative, and shall transmit a statement of such result, in writing, to the clerk of the house of representatives. If a majority of said votes is in the affirmative, it shall be deemed and taken to be the will of the people that the general court shall enact legislation providing for jury service by women, and if a majority of said votes is in the negative, it shall be deemed and taken to be the will of the people that the general court shall not enact said legislation.

SECTION 3. The committee on the judiciary shall make an investigation and study of the question of the enactment of legislation by the general court providing for jury service by women. If a majority of the votes upon the question submitted to the voters under section one of this act is in the affirmative, said committee shall report to the general court its recommendations by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year. *Approved June 14, 1946.*

AN ACT RELATIVE TO THE LICENSING OF THEATRICAL AGENTS, PERSONAL AGENTS, PRODUCERS AND MANAGERS. *Chap. 566*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and forty of the General Laws is hereby amended by striking out section one hundred and eighty A, inserted by chapter three hundred and seventy-eight of the acts of nineteen hundred and thirty-five, and inserting in place thereof the following section: — *Section 180A.* Every booking agent, personal agent, or actor's manager shall obtain a license from the department of public safety, hereinafter and in sections one hundred and eighty B to one hundred and eighty D, inclusive, called the licensing authority, to engage in the commonwealth in the business of booking actors, actresses, musicians, entertainers of all descriptions, or any of them, for vaudeville, banquets, and other stage performances, including floor shows, so called, in restaurants, clubs, beer gardens and similar places of amusement; provided, that this section shall not apply to any person whose participation in such business consists only in contracting or hiring such actors, actresses, musicians or

G. L. (Ter. Ed.), 140.
§ 180A, etc., amended.

Theatrical booking agents, licensing of.

entertainers for his own establishment. The term of said license shall be for a period of one year and the fee therefor shall be one hundred dollars. Every person licensed under this section shall maintain one or more offices in the commonwealth and, while actively engaged in any or all of the activities of the business hereinbefore referred to, and not hereinbefore specifically exempted from the provisions of this section, shall be required to be so licensed.

G. L. (Ter.
Ed.), 140,
§ 180B, etc.,
amended.

Bond.

SECTION 2. Said chapter one hundred and forty is hereby further amended by striking out section one hundred and eighty B, as so inserted, and inserting in place thereof the following section: — *Section 180B.* No license under section one hundred and eighty A shall be issued unless and until the applicant therefor deposits with the licensing authority a bond for the faithful compliance by such applicant, as licensee, during the term of the license, with the provisions of sections one hundred and eighty A to one hundred and eighty D, inclusive, such bond to run to the commonwealth, to be in the penal sum of one thousand dollars, to contain such conditions and to be in force during such term as such authority may require, and to have as sureties, at the option of such authority, either two or more individuals or a surety company authorized to transact business in the commonwealth.

G. L. (Ter.
Ed.), 140,
§ 180C, etc.,
amended.

Actions on
bond.

SECTION 3. Said chapter one hundred and forty is hereby further amended by striking out section one hundred and eighty C, as so inserted, and inserting in place thereof the following section: — *Section 180C.* Any person from whom any licensee under section one hundred and eighty A has withheld any sum in excess of the amount permitted under any agreement between the licensee and such person may, without expense to the commonwealth, bring an action in the name of the state treasurer upon the bond of such licensee, and may recover upon such bond for his own benefit all sums, up to the penal sum of such bond, or any balance thereof remaining, as the case may be, improperly withheld from him by such licensee.

Temporary
provisions.

SECTION 4. Any person who, immediately prior to the effective date of this act, is subject to sections one hundred and eighty A to one hundred and eighty D, inclusive, of chapter one hundred and forty of the General Laws, as then in force, shall continue to remain subject to said sections, as so in force, until the termination of his license by expiration of its term or otherwise.

Approved June 14, 1946.

Chap. 567 AN ACT TO PROVIDE FOR THE PREPARATION OF PLANS FOR A VEHICULAR TUNNEL BETWEEN BOSTON PROPER AND EAST BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, hereinafter called the department, is hereby authorized and directed to provide for the preparation of plans for an additional

vehicular tunnel from a point at or near the intersection of Cross street and North street in the city of Boston, hereinafter called the city, to a point at or near the intersection of Porter street and Paris street in the East Boston section of the city and for the preparation of plans for all facilities and appurtenances incidental thereto. Said vehicular tunnel shall be of such width as may be determined by the department as will permit the safe movement of two lanes of traffic and shall be so located as to conform to an adequate system of approach highways as may be determined by the department. For the purpose of carrying out the provisions of this act, the department shall arrange to have the Boston transit department, hereinafter called the transit department, acting under the supervision of and in behalf of the department, perform the work hereinafter authorized.

SECTION 2. Immediately after the effective date of this act the transit department shall make such preliminary investigations, surveys, borings and complete final plans, estimates and specifications as the department may deem expedient and to that end the department or the transit department, their employees or any other parties acting with their authority, may enter upon any lands or places without being liable in trespass, in order to make surveys and investigations and may place and maintain marks and monuments thereon, and make borings and excavations and do all other acts necessary for the preparation of plans, specifications and estimates for said tunnel and other facilities and appurtenances; provided, that compensation shall be recoverable from the commonwealth under chapter seventy-nine of the General Laws for any actual damages caused by such acts.

SECTION 3. To meet the cost of the work herein authorized there may be expended such sums, not exceeding, in the aggregate, five hundred thousand dollars, as may hereafter be appropriated therefor from the Highway Fund. From such sums the commonwealth shall reimburse the city for such portions of transit department administrative expense and salaries or wages of employees of the transit department as are chargeable to the work herein authorized and for such expenses for service and materials as are incurred by the transit department in carrying out the provisions of this act. Said reimbursements shall be made monthly upon presentation by the city of statements approved by the department. Of the sums to be appropriated under authority of this act one half shall be made available on the first day of July in the year nineteen hundred and forty-six and one half on the first day of July in the year nineteen hundred and forty-seven.

SECTION 4. Any obligation or expense incurred by the commonwealth for the Highway Fund under this act shall be reimbursed to the extent of such obligation or expense from funds hereafter made available from any source to meet the cost of said tunnel.

Approved June 14, 1946.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 10, 1946.

Honorable FREDERIC W. COOK, *Secretary of the Commonwealth,
State House, Boston, Massachusetts.*

SIR: — I, Maurice J. Tobin, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures" do declare that in my opinion the immediate preservation of the public convenience requires that the law passed on the 14th day of June, entitled, "AN ACT TO PROVIDE FOR THE PREPARATION OF PLANS FOR A VEHICULAR TUNNEL BETWEEN BOSTON PROPER AND EAST BOSTON," should take effect forthwith and that it is an emergency law and that the facts constituting the emergency are as follows:

In order that there be no delay in starting preparation of the plans authorized by this legislation, it is necessary that the legislation take effect immediately.

Very truly yours,

MAURICE J. TOBIN,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 12, 1946.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter five hundred and sixty-seven of the acts of nineteen hundred and forty-six.

F. W. COOK,
Secretary of the Commonwealth.

Chap. 568 AN ACT TO AUTHORIZE CITIES AND TOWNS TO ENTER INTO
CONTRACTS TO PROVIDE TEMPORARY HOUSING FOR VET-
ERANS OF WORLD WAR II.

Emergency
preamble.

Whereas, An acute shortage of housing exists in many of the cities and towns of the commonwealth and on account of such shortage many veterans of World War II are unable to obtain shelter for themselves and their families, and this shortage is likely to continue for a substantial period of time; and inability to obtain adequate shelter will cause suffering and disease among such veterans and their families unless such shortage is relieved; and

Whereas, The only immediately available supply of housing for veterans consists of temporary buildings belonging to the United States of America erected for purposes connected with the prosecution of World War II and no longer needed for such purposes and buildings of a similar character erected by the United States of America for the purpose of relieving the shortage of housing for veterans; and

Whereas, By an Act known as Public Law 849, 76th Congress, the Congress of the United States has provided for the distribution of such housing, among cities and towns and other local bodies politic and corporate where they are most needed, by the Federal Public Housing Authority primarily at the expense of the United States; but

Whereas, As a condition precedent to the distribution of such housing to local bodies the Federal Public Housing Authority requires the local body to execute a contract obligating it to co-operate in certain specified ways in the setting up and management of such housing, and the obligations of such a contract will require certain expenditures by such local body which must necessarily be raised in whole or in part by taxation or borrowing on the credit of the local body; and

Whereas, The supply of housing available for distribution is limited, and if the cities and towns of the Commonwealth are not promptly authorized to enter into such contracts, the supply of housing available is likely to be exhausted and the cities and towns of Massachusetts will receive no more of such housing; therefore this act is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that an acute shortage of housing exists in many of the cities and towns of the commonwealth; that on account of such shortage many veterans of World War II are unable to obtain shelter for themselves and their families regardless of their ability to pay for such shelter; that on account of the extent of the deficiency in housing and the difficulty in obtaining building materials it is likely that this shortage will continue for a substantial period; that on this account a time of public exigency, emergency and distress now exists so that the providing of shelter is a public function; and each city or town in which such shortage exists is hereby authorized to provide shelter for such of its inhabitants as are veterans of said war in the manner hereinafter designated for a period of five years from the date when this act becomes operative unless the general court shall previously determine that the time of public exigency, emergency and distress has ended, which period is hereinafter referred to as the present emergency.

SECTION 2. In this act, unless the context otherwise requires, the following words shall have the following meanings: *Eligible tenant* — distressed families of service men and veterans and their families. The term "families of service men" shall also include the family of any person who is serving in the military or naval forces of the United States, and the term "veterans" shall include any person who has served in the military or naval forces of the United States during World War II and who has been discharged or released therefrom under conditions other than dishonorable. Families of

service men or veterans include families of deceased service men or veterans. Families of service men and veterans and their families shall be considered as "distressed" if they are without housing because of eviction or low income or for other reasons, or are affected by unusual hardships, and are unable to find in the area adequate housing within their financial reach, including the family of a returning veteran who is unable to find a dwelling in the area within his reach in which he can re-establish his family. *Take by eminent domain* — take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws either a fee or rights less extensive than a fee either with respect to the interest taken or the duration of such rights or both. *Dwelling unit* — a house, apartment, suite of rooms or room, occupied or designed or available for occupancy as a place of abode by one person, or by two or more persons closely related by blood or marriage living together as a family.

SECTION 3. During the present emergency any city or town in which, in the opinion of the state board of housing, a shortage of housing for veterans exists to the extent described in the preamble of this act, may, in addition to exercising the powers granted by chapter three hundred and seventy-two of the acts of nineteen hundred and forty-six, enter into a contract with the Federal Public Housing Authority, or any other appropriate federal agency, for the acceptance of an allotment of temporary housing which contains in substance the following obligations:

(a) To select and provide a site or sites for the location of such temporary housing;

(b) To provide necessary and adequate access, and streets and other public utilities within and without the site;

(c) To provide such necessary grading as is not provided by the Federal Public Housing Authority;

(d) To provide such necessary furniture and equipment as is not provided by the Federal Public Housing Authority;

(e) To furnish technical services, plans and drawings and necessary engineering services;

(f) To grant to the Federal Public Housing Authority right of entry upon the sites selected and rights of access thereto;

(g) To hold the Federal Public Housing Authority and its representatives harmless from any injunction or action for damage not caused by said Authority or its representatives;

(h) To issue all necessary permits and licenses without expense to the Federal Public Housing Authority;

(i) To execute a Project Development Program representing an agreement with the Federal Public Housing Authority with respect to the provision, arrangement and timing of the respective undertakings of said Authority and said city or town;

(j) To accept possession, custody and control of the temporary housing allotted to the city or town;

(k) To prepare a plan for the management of such housing consisting of standards for the selection of tenants, rental and other material matter;

(l) To manage and operate the project with efficiency and economy;

(m) Not to admit to occupancy of the project any persons other than eligible tenants and the necessary management employees;

(n) Not to use, sell or otherwise dispose of the project except as otherwise provided in the agreement¹ or with the written consent of the Federal Public Housing Authority;

(o) To charge fair rents based on the value of the accommodations, except that the city or town may adjust rents downward in particular cases to permit occupancy by eligible tenants at rents within their financial reach;

(p) To charge all necessary and normal management operations, including taxes or payments in lieu of taxes, and a ground rental on the basis of \$15 per year per family dwelling unit, against the amounts received from rents;

(q) To meet from its own funds any operating deficit, and to pay any net operating profit to the Federal Public Housing Authority;

(r) To comply with reasonable requirements of the Federal Public Housing Authority with respect to accounting and auditing and the handling of funds;

(s) To cause the dwelling units provided under this act to be removed within two years after the termination of the emergency declared by the President of the United States to exist on September 8, 1939 unless such time is extended by the National Housing Administrator;

(t) To permit inspection of the premises by the Federal Public Housing Authority or its representatives at all reasonable times;

(u) To enter into such other agreements as are in accord with the intent and purpose of the foregoing.

SECTION 4. In carrying out the provisions of this act a city or town may purchase, lease or take by eminent domain such land, and may appropriate, raise by borrowing or taxation and expend such moneys, as may be necessary; but no expenditure shall be made by any city or town, in carrying out the provisions of this act, of more than one thousand dollars in any year without the approval of the state board of housing. The provisions of sections five, eight and ten of chapter three hundred and seventy-two of the acts of nineteen hundred and forty-six shall, so far as apt, be applicable to any action taken under this act.

SECTION 5. Any appropriation made, any raising or expenditure of money, any contract entered into or other action taken by a city or town after the thirtieth day of January, nineteen hundred and forty-six, which would have been valid if this act had been in force when such action was taken, is hereby ratified and confirmed to the same extent as if this act had then been in effect.

Approved June 14, 1946.

Chap. 569 AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO THE ACQUISITION BY THE UNITED STATES OF AMERICA OF CERTAIN LAND IN THE CITY OF LAWRENCE FOR USE AS A NAVAL RESERVE TRAINING STATION AND CEDING JURISDICTION OVER SUCH LAND.

Be it enacted, etc., as follows:

SECTION 1. The consent of the commonwealth is hereby granted to the acquisition by the United States of America by conveyance from the city of Lawrence, and said city is hereby authorized to convey to the United States of America upon the terms and conditions herein stated, the following described premises situate in said city:

Beginning at the northeasterly corner of Crawford street and North Parish road and running northerly five hundred feet by the easterly sideline of Crawford street to a point; thence turning at right angles and running easterly by land of the city of Lawrence a distance of five hundred feet to a point; thence turning at right angles and running southerly by land of the city of Lawrence a distance of five hundred feet to a point in the northerly sideline of North Parish road; thence turning at right angles and running westerly by the northerly sideline of North Parish road a distance of five hundred feet to the point of beginning; said parcel containing an area of two hundred and fifty thousand square feet more or less.

The above described parcel of land may be conveyed by said city of Lawrence to the United States of America to have and to hold so long as the premises shall be used for the purposes of a naval reserve training station, but subject to an easement providing that said city and the town of Andover may continue to maintain through the premises so conveyed an existing outfall sewer owned jointly by said city and said town and may retain for themselves a right of entry into said premises for the purposes of maintaining and repairing said sewer, and subject to the conditions that if the United States of America shall at any time discontinue the use of the premises for a naval reserve training station as set forth herein or shall fail to begin construction of the aforesaid naval reserve training station within two years from the date of conveyance, the aforesaid parcel of land shall revert to the city of Lawrence.

SECTION 2. Jurisdiction over the above described lands is hereby granted and ceded to the United States of America, but upon the express condition that the commonwealth shall retain concurrent jurisdiction with the United States of America in and over said lands, in so far that all civil processes, and such criminal processes as may issue under the authority of the commonwealth against any person or persons charged with crimes committed without said lands and all processes for collection of taxes levied under authority of the laws of the commonwealth, including the

service of warrants, may be executed thereon in the same manner as though this cession had not been granted; provided, that the exclusive jurisdiction in and over such lands shall revert to and revest in the commonwealth whenever such lands shall cease to be used for the purpose set forth in section one.

SECTION 3. This act shall take full effect upon its acceptance by a majority vote of the city council of said city of Lawrence and upon deposit in the office of the state secretary before December thirty-first, nineteen hundred and forty-six, of a suitable plan of said parcel, but not otherwise.

Approved June 14, 1946.

AN ACT RELATIVE TO THE RETIREMENT ALLOWANCE OF
EDWARD J. SHAUGHNESSY OF MEDFORD. Chap.570

Be it enacted, etc., as follows:

Edward J. Shaughnessy of Medford, who was retired on August twenty-fourth, nineteen hundred and forty-five, because of accidental disability, shall be entitled to the benefit of all pertinent provisions of paragraph (2) of section seven of chapter thirty-two of the General Laws, to the same extent as if he was retired subsequent to January first, nineteen hundred and forty-six. *Approved June 14, 1946.*

AN ACT PROVIDING FOR THE CONSTRUCTION BY THE DE-
PARTMENT OF PUBLIC WORKS OF TWO DAMS ON THE BLACK-
STONE RIVER IN THE TOWN OF MILLVILLE TO REPLACE
THE EXISTING DAMS THEREON. Chap.571

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct two dams on the Blackstone river in the town of Millville to replace the existing dams thereon. Two thirds of the cost of the work done hereunder shall be paid by the commonwealth from item 2202-11 of section two of chapter three hundred and nine of the acts of the current year, and one third of said cost shall be paid by said town.

Approved June 14, 1946.

AN ACT AUTHORIZING THE PREPARATION OF PLANS FOR
EMBANKMENT PARKWAY. Chap.572

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, herein-after called the commission, is hereby authorized and directed to prepare plans, estimates and specifications and all other things necessary and proper as a prerequisite to the actual construction of a parkway over public and private lands and public and private ways in the city of Boston substantially on the following location: — Beginning on Embankment road in the city of Boston, thence along the

southerly bank of the Charles river to Soldiers' Field road, with provisions for the interchange of traffic between the said parkway and existing ways within the city of Boston.

SECTION 2. For the purpose of carrying out the provisions of this act there may be expended by the commission such sums, not exceeding, in the aggregate, one hundred and fifty thousand dollars, as may hereafter be appropriated therefor from the Highway Fund.

SECTION 3. This act shall take effect upon its passage.

Approved June 14, 1946.

Chap. 573 AN ACT PROVIDING FINANCIAL ASSISTANCE FOR CERTAIN VETERANS' ORGANIZATIONS IN DEFRAYING EXPENSES INCURRED BY THEM IN CONDUCTING MILITARY FUNERALS OR BURIALS OF PERSONS WHO DIED IN OVERSEAS SERVICE DURING WORLD WAR II.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide immediate financial assistance for certain veterans' organizations in the proper interment in this country of the bodies of persons who died while serving overseas during World War II, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Cities and towns may appropriate money for the purpose of reimbursing a post or posts of the American Legion, the Veterans of Foreign Wars of the United States or the Disabled American Veterans of the World War for expenses actually incurred by such post or posts in connection with the military funeral or burial of a person who died while serving overseas in the military or naval service of the United States in World War II, and who was domiciled in this commonwealth at the time of entering such service. The amount reimbursed such post or posts shall not exceed fifty dollars for a single funeral or burial and, in the event that said post shall have received contributions from any other source to meet such expenses, the amount reimbursed by the city or town shall be reduced by the amount of such contribution for any funeral or burial. When two or more posts conduct a funeral or burial jointly, each such post may be reimbursed such proportionate part of the amount authorized as may be approved in writing by the commissioner of veterans' services. Application for reimbursement hereunder shall be made to the person authorized to disburse state or military aid or veterans' benefits in the city or town in which the person buried was domiciled in this commonwealth at the time of entering the military or naval service of the United States.

SECTION 2. The commonwealth shall reimburse a city or town for payments made under authority of this act upon application made by the person authorized to disburse state

and military aid or veterans' benefits in such city or town, on forms prepared by the commissioner of veterans' services; provided, that such application shall be made during the year in which the funeral or burial is held; and provided, further, that reimbursement by the commonwealth shall not exceed the amount approved by said commissioner. The commonwealth shall reimburse such city or town therefor when reimbursing it for payments of state and military aid or veterans' benefits.

Approved June 14, 1946.

AN ACT TO RELATE THE HOUSING AUTHORITY LAW TO FEDERAL LEGISLATION, TO GIVE PREFERENCE TO FAMILIES OF SERVICEMEN AND VETERANS IN HOUSING AUTHORITY PROJECTS, TO AUTHORIZE HOUSING AUTHORITIES TO ENGAGE IN LAND ASSEMBLY AND REDEVELOPMENT PROJECTS AND TO PROVIDE DECENT, SAFE AND SANITARY HOUSING FOR FARMERS AND OTHERS OF LOW INCOME AND TO AMEND THE HOUSING AUTHORITY LAW IN OTHER PARTICULARS. *Chap. 574*

Whereas, An acute shortage of housing exists in many of the cities and towns of the commonwealth and on account of such shortage many persons are unable to obtain shelter for themselves and their families, and this shortage is likely to continue for a substantial period of time; and inability to obtain adequate shelter will cause suffering and disease among such persons and their families unless such shortage is relieved, therefore this act is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-one of the General Laws is hereby amended by striking out sections twenty-six I to twenty-six II, inclusive, inserted by section one of chapter four hundred and eighty-four of the acts of nineteen hundred and thirty-eight, as amended by chapters two hundred and sixty-nine and two hundred and ninety-one of the acts of nineteen hundred and forty-one, and by chapter one hundred and forty-eight of the acts of nineteen hundred and forty-three, and inserting in place thereof the following thirty-two new sections: —

G. L. (Ter. Ed.), 121, §§ 26I to 26II, amended, and new sections added.

Section 26I. *Designation as Housing Authority Law.* — This section and the thirty-one following sections shall be known and may be cited as the Housing Authority Law.

Law, how cited.

PART I.

DEFINITIONS.

Section 26J. *Words and Phrases Defined.* — The following words, wherever used in this section and in sections twenty-six K to twenty-six NN, inclusive, shall, unless a different meaning clearly appears from the context, have the following meanings: —

Definitions.

"Housing board" or "board", the state board of housing established under section seventeen of chapter eighteen.

"Housing authority" or "authority", a public body politic and corporate created pursuant to section twenty-six K or corresponding provisions of earlier laws.

"Federal legislation" shall include the "United States Housing Act of 1937", Public Act No. 412 of the 75th Congress of the United States, any act in amendment thereof or in addition thereto, and any other legislation of the Congress of the United States relating to federal assistance for clearance of sub-standard or decadent areas, land assembly and redevelopment projects or housing.

"Federal government" shall include the United States of America, the body corporate created by section three of the United States Housing Act of 1937 known as the "United States Housing Authority", the National Housing Agency, the National Housing Administrator, the Federal Public Housing Authority, the Federal Public Housing Commissioner, and any other agency or instrumentality corporate or otherwise of the United States of America.

"Low-rent housing", decent, safe and sanitary dwellings within the financial reach of families of low income, and developed and administered to promote serviceability, efficiency, economy and stability; together with all necessary appurtenances of such dwellings.

"Families of low income", families and persons whose net annual income is less than the amount necessary to enable them to obtain and maintain decent, safe and sanitary housing.

"Sub-standard area", any area wherein dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health or morals.

"Decadent area", an area in which many of the buildings are out of repair, physically deteriorated or obsolete or to a large extent vacant, or in which much of the real estate has in recent years been sold or taken for non-payment of taxes or upon foreclosure of mortgages, or in which many buildings have been torn down and not replaced and in which under existing conditions it is improbable that the buildings will be replaced or repaired, or which contains open urban land which because of obsolete or inappropriate subdivision or otherwise impairs the sound growth of the community or open suburban land which has not been appropriately used for sound community growth, and in which any of the foregoing conditions are growing worse and values are declining, so that there is a large body of land substantially useless in its existing condition.

"Clearance project", the demolition and removal of buildings from any sub-standard area.

"Acquisition cost", the amount prudently required to be

expended by a housing authority in acquiring a housing or clearance project.

“Low-rent housing project”, any work or undertaking: (1) to demolish, clear or remove buildings from any sub-standard area; such work or undertaking may embrace the adaptation of such area to parks, playgrounds or other public purposes; or (2) to provide decent, safe and sanitary dwellings, apartments or other living accommodations for families of low incomes; such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, public or private ways, sewers, water supply, parks, site preparation or improvement or administrative, community, health, recreational, welfare or other facilities; or (3) to accomplish any combination of the foregoing. The term “project” also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work performed in connection therewith. Construction activity in connection with a project may be confined to the reconstruction, remodeling or repair of existing buildings.

“Land assembly and redevelopment project”, a project for (1) acquisition and assembly by a housing authority of the land (and buildings, structures and other improvements thereon, if any) within a decadent area covered by a land assembly and redevelopment plan; (2) clearance, by the housing authority, of the land so acquired; (3) installation, construction or reconstruction of public and private ways, public utilities and services, and site improvements essential to the preparation of sites for uses in accordance with the land assembly and redevelopment plan; and (4) making the land available for redevelopment by private enterprise or public agencies (including sale, initial leasing or retention by the housing authority itself) for uses in accordance with the land assembly and redevelopment plan. “Land assembly and redevelopment project” shall not include the construction by the housing authority of any of the buildings, for residential or other use, contemplated by the land assembly and redevelopment plan.

“Land assembly and redevelopment plan”, a detailed plan, as it may exist from time to time, for the assembly of land in a decadent area by the housing authority and the subsequent redevelopment of such land by private enterprise or the housing authority, which plan shall be sufficient to indicate (1) boundaries of the area; (2) relationship of the plan to definite community objectives as to appropriate land uses and improved traffic, public transportation, public utilities and services, recreational and community facilities and other public improvements; (3) proposed land uses and building requirements in the area; and (4) method for the

relocation of persons living in the area, if it is to be cleared, and availability of and the means by which there will be provided dwelling units for such persons substantially equal in number to the number of dwelling units to be cleared from such area.

"Servicemen", persons serving in the military or naval forces of the United States during World War II.

"Veterans", persons who have served in the military or naval forces of the United States during World War II.

PART II.

LOCAL HOUSING AUTHORITIES.

"Housing
Authority",
organization
of local.

Section 26K. Organization of Housing Authorities. — There is hereby created in each city and town in the commonwealth a public body politic and corporate to be known as the "Housing Authority" of such city or town; provided, that no such authority shall transact any business or exercise any powers until the need for a housing authority has been determined and until a certificate of organization has been issued to it by the state secretary, both as hereinafter provided.

Whenever the city council of a city, with the approval of the mayor, or a town, at an annual town meeting or a special town meeting called therefor, determines that a housing authority is needed therein for the purpose of the clearance of sub-standard or decadent areas or the provision of housing for families of low income or engaging in a land assembly and redevelopment project, it may by vote provide for the organization of such an authority. In determining the need for a housing authority, the city council or the town shall take into consideration the need for relieving congestion of population, the existence of sub-standard or decadent areas or insanitary or unsafe inhabited dwellings, and the shortage of safe or sanitary dwellings available for families of low income at rentals which they can afford. If a town so votes, at an annual town meeting or a special meeting called therefor, four members of such an authority shall be appointed forthwith by the selectmen to serve only until the qualification of their successors who shall be elected at the next annual town meeting, as provided for in section twenty-six L, and one member shall be appointed by the housing board. Every such authority shall be managed, controlled and governed by five members, appointed or elected as provided in this section or in section twenty-six L, of whom three shall constitute a quorum.

Election or
appointment
of members.

Section 26L. Election or Appointment of Members. — In a city, four members of a housing authority shall be appointed by the mayor subject to confirmation by the city council and one by the housing board; provided, that, of the members originally appointed, the member appointed by the board shall serve for the term of three years, and the other

members shall be appointed to serve for terms of one, two, four and five years, respectively. In a town, four members shall be elected by the town and one appointed by the housing board; provided, that, of the members originally elected at an annual town meeting, the one receiving the highest number of votes shall serve for five years, the one receiving the next highest number of votes, for four years, the one receiving the next highest number of votes, for two years, and the one receiving the next highest number of votes, for one year, and that the member originally appointed by the board shall serve for three years. Thereafter, as the term of a member of any such housing authority expires, his successor shall be appointed or elected, in the same manner and by the same body, for the term of five years. Vacancies, other than by reason of expiration of terms, shall be filled, in the same manner and by the same body, for the balance of the unexpired term. Every member, unless sooner removed, shall serve until the qualification of his successor.

As soon as possible after the qualification of the members of a housing authority the city or town clerk, as the case may be, shall file a certificate of such appointment, or of such appointment and election, as the case may be, with the board and a duplicate thereof in the office of the state secretary. If the state secretary finds that the housing authority has been organized and the members thereof elected or appointed according to law, he shall issue to it a certificate of organization and such certificate shall be conclusive evidence of the lawful organization of the authority and of the election or appointment of the members thereof. Whenever the membership of a housing authority is changed, by appointment, election, resignation or removal, a certificate and a duplicate certificate to that effect shall promptly be so filed. A certificate so filed shall be conclusive evidence of the change in membership of the housing authority referred to therein.

Section 26M. Removal of Members. — The mayor, with the approval of the city council, or the board of selectmen may make, or the mayor or the board of selectmen may receive, written charges against, and may after hearing remove, because of inefficiency, neglect of duty and misconduct in office, or any of such causes, a member of a housing authority appointed by the mayor and confirmed by the city council, elected by the town or appointed by the selectmen, as the case may be; provided, that such member shall have been given, not less than fourteen days before the date set for such hearing, a copy in writing of the charges against him and written notice of the date and place of the hearing to be held thereon, and at the hearing shall have been given the opportunity to be represented by counsel and to be heard in his own defense. Pending final action upon any such charges, the mayor, with the approval of the city council, or the board of selectmen, as the case may be, may temporarily suspend such member; provided, that if they find

Removal
of members.

that such charges have not been substantiated, they shall immediately reinstate him in his office. In case of any such removal, the removing authority shall forthwith deliver to the clerk of the city or town, for filing with the certificate and with the duplicate certificate, attested copies of such charges and of its findings thereon.

The mayor, with the approval of the city council, or the board of selectmen, as the case may be, may prefer to the board written charges of inefficiency, neglect of duty and misconduct in office, or any of such charges, against the member of a housing authority appointed by the board, in which case the pertinent provisions of the preceding paragraph relative to notice, hearing, suspension, removal or reinstatement, and filing, shall apply to proceedings before the board. If, after hearing thereon, the board finds the charges, or any of them, to have been substantiated, and that removal of the member is advisable, it shall remove such member.

Officers
of housing
authorities.

Section 26N. Officers of Housing Authorities. — A housing authority shall elect from among its members a chairman and a vice-chairman, and may employ counsel, an executive director who shall be ex-officio secretary of the housing authority, a treasurer who may be a member of the authority and such other officers, agents and employees as it deems necessary or proper, and shall determine their qualifications, duties and compensation, and may delegate to one or more of its members, agents or employees such powers and duties as it deems necessary or proper for the carrying out of any action determined upon by it. So far as practicable, a housing authority shall make use of the services of the agencies, officers and employees of the city or town in which such an authority is organized and such city or town shall, if requested, make available such services.

Compensation
of members of
a housing
authority.

Section 26O. Compensation of Members of a Housing Authority. — A housing authority may compensate its members for each day spent in the performance of his duties and for such other services as he may render to the authority. Such compensation shall not exceed twenty-five dollars a day for the chairman and twenty dollars a day for a member other than the chairman, provided that the total sum paid to all the members in any one month or year shall not exceed one per centum of the gross income of the housing authority during such month or year respectively, nor shall the total sum paid in any year exceed seven thousand dollars in the case of the chairman or five thousand dollars in the case of a member other than the chairman. Members of a housing authority shall be allowed, or be reimbursed for, all expenses properly incurred by them within or without the city or town in the discharge of their duties. Such compensation and expenses may be allocated by the housing authority among its various projects, in such manner and amounts as it deems proper.

No member, agent or employee of a housing authority

shall, directly or indirectly, have any financial interest in any property to be included in, or any contract for property or materials to be furnished or used in connection with, any project of such housing authority. Whoever violates any provision of the preceding sentence shall be punished by a fine of not less than fifty nor more than one thousand dollars, or by imprisonment for not more than one month, or both.

Section 26P. Powers of a Housing Authority. — A housing authority shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of the Housing Authority Law, including clearing sub-standard or decadent areas, engaging in land assembly and redevelopment projects and providing housing for families of low income, and shall have the following powers in addition to others specifically granted elsewhere in the Housing Authority Law:—

Powers
and duties.

(a) To sue and to be sued; to have a seal; to have corporate succession; to receive loans, grants, and annual or other periodic contributions from the federal government or from any other source, public or private; to make studies of housing needs and markets (including data with respect to population and family groups and their distribution according to income groups, the amount and quality of available housing and its distribution according to rentals and sales prices, employment, wages and other factors affecting housing needs and markets) and surveys and plans for housing and related community development (including desirable patterns for land use and community growth); to make such studies, surveys and plans available to the federal government, the board and other state agencies, the public and the building, housing and supply industries; to conduct investigations and disseminate information relative to housing and living conditions and any other matter deemed by it to be material in connection with any of its powers and duties.

(b) To determine what areas within its jurisdiction constitute sub-standard or decadent areas and to prepare plans for the clearance thereof; to provide housing projects for families of low income; to engage in land assembly and redevelopment projects; to provide housing for families of low income in rural areas in accordance with the provisions set forth in section twenty-six II; to take by eminent domain under chapter seventy-nine or chapter eighty A, or to purchase or lease, or to acquire by gift, bequest or grant, and hold, any property real or personal, or any interest therein, found by it to be necessary or reasonably required to carry out the purposes of the Housing Authority Law, or any of its sections, and to sell, exchange, transfer or assign the same; provided, that in case of a taking by eminent domain under said chapter seventy-nine, the provisions of section forty of said chapter shall be applicable, except that the security therein required shall be deposited with the mayor of the city or the selectmen of the town in which the property to be

taken is situated; to clear and improve any property so acquired; to engage in or contract for the construction, reconstruction, alteration, remodeling or repair of any clearance or housing project or parts thereof; to act as agent of, or to co-operate with the federal government in any clearance, land assembly and redevelopment, or housing project; to lease, to operate, and, subject to the limitations set forth in section twenty-six FF, to establish, or revise, schedules of rents for any such project or part thereof undertaken by it; to borrow money as hereafter provided upon the security of its bonds, notes or other evidences of indebtedness and to secure the same by mortgages upon property held or to be held by it or by pledge of its revenue, including grants or contributions by the federal government, or in any other lawful manner, and in connection with the incurrence of any indebtedness to covenant that it shall not thereafter mortgage the whole or any specified part of its property or pledge the whole or any specified part of its revenues; to invest in securities legal for the investment of funds of savings banks any funds held by it and not required for immediate disbursement; to enter into, execute and carry out contracts with any urban redevelopment corporation organized under section three of chapter one hundred and twenty-one A for the purchase, sale, lease or exchange of property; to enter into, execute and carry out contracts, including contracts with the federal government, and all other instruments necessary or convenient to the exercise of the powers granted in the Housing Authority Law; and to make, and from time to time to amend or repeal, by-laws, rules and regulations to carry into effect its powers and purposes under the Housing Authority Law; provided, that the same are not inconsistent with the Housing Authority Law, or with the pertinent rules and regulations of the housing board or with law.

Section 26Q. Municipal Grants in Aid of Housing Authorities. — For the purpose of defraying the initial costs and annual administrative expenses of a housing authority authorized to be organized therein, including the expense of preparing plans, making surveys, and the like, in connection with one or more proposed projects, a city or town with a valuation of less than five million dollars may annually appropriate not more than five thousand dollars; a city or town with a valuation of five million dollars but less than twenty million dollars may annually appropriate not more than seven thousand five hundred dollars; a city or town with a valuation of twenty million dollars but less than seventy-five million dollars may annually appropriate not more than ten thousand dollars; a city or town with a valuation of seventy-five million dollars but not more than one hundred and fifty million dollars may annually appropriate not more than twelve thousand five hundred dollars; and a city or town with a valuation of more than one hundred and fifty million dollars may annually appropriate not more than thirty thousand dollars. Any city or town in which a housing au-

Municipal
grants.

thority has been organized may from time to time appropriate or agree to appropriate further sums of money for the purpose of aiding such housing authority in the preparation of plans and estimates in connection with the submission to the federal government of one or more applications for loans or grants under federal legislation. All moneys appropriated by a city or town under the preceding sentence for the plans and estimates of a particular project or used for such purpose shall, if such project is one to which the federal government shall make a grant or loan and such moneys are not taken into account as part of the required participation of such city or town in such project, be repaid by the housing authority to such city or town; otherwise, such repayment need not be made. All moneys appropriated under this section in aid of a housing authority or received by it from any source shall be paid to the treasurer of the authority and shall be disbursed by him, subject to section twenty-six V.

Section 26R. Exemption from Taxation: Payments in Lieu of Taxes. — The real estate and tangible personal property of a housing authority (including houses constructed by a housing authority on private land in rural areas under the provisions of section twenty-six II shall be deemed to be public property used for essential public and governmental purposes and shall be exempt from taxation and from betterments and special assessments; provided, that in lieu of such taxes, betterments and special assessments, a city or town in which a housing authority holds real estate used or to be used in connection with such a project may determine a sum to be paid to the city or town annually in any year or period of years such sum to be in any year not in excess of the amount that would be levied at the current tax rate upon the average of the assessed value of such real estate, including buildings and other structures, for the three years preceding the acquisition thereof, the valuation of each year being reduced by all abatements thereon, as compensation for improvements, services and facilities, other than gas, water and electricity, furnished by such city or town for the benefit of such project. Such a city or town may however agree with such a housing authority upon the payments to be made to the city or town as herein provided or such housing authority may make and such city or town may accept such payments, the amount of which shall not in either case be subject to the foregoing limitation. The last paragraph of section six and all of section seven of chapter fifty-nine shall, so far as apt, be applicable to payments under this section.

Exemption
from
taxation.

Nothing in the housing authority law shall be construed to prevent the taxation, to the same extent and in the same manner as other real estate is taxed, of real estate acquired by a housing authority for a land assembly and redevelopment project and sold by it, or of the leasehold interests and buildings and other structures belonging to private individuals or corporations on land acquired and held by a housing authority for such a project and leased by it; pro-

vided, however, that real estate so acquired by a housing authority and sold or leased to an urban redevelopment corporation organized under chapter one hundred and twenty-one A, or to an insurance company or savings bank or group of savings banks operating under said chapter, shall be taxed as provided in said chapter and not otherwise.

Application
of building
and civil
service laws.

Section 26S. Application of Building and Civil Service Laws. — Except as provided in section twenty-six Y with respect to projects leased from the federal government, every project of a housing authority shall be subject to all laws and all ordinances, by-laws and regulations of the city or town in which it lies, relating to the construction and repair of buildings, town planning, zoning, and the protection of the public health; provided, that, with the approval of the housing board and the supervisor of plans of the department of public safety, any building in a housing project of not more than three stories in height which is divided into two or more sections by fire division separations in accordance with any special law relative thereto or with any ordinance, by-law or regulation of the city or town in which it lies contains an enclosed stairway in each section extending from the roof to the ground directly accessible to the occupants of each dwelling unit therein, is built of fireproof or fire resistive construction as defined by any special law relative thereto or by any ordinance, by-law or regulation of the city or town in which it lies; and, together with the other buildings on the same project, does not occupy more than thirty per centum of the area thereof, may be designed, erected and maintained with only one means of egress from a dwelling unit to a stairway or public corridor; provided, that when any room in a dwelling unit is more than forty feet from such means of egress, there shall be two egresses from such dwelling unit located at points as widely separated from one another as may be reasonably feasible, with not more than four dwelling units above the second story in each section, with exterior egress doors not less than three feet in width, although such dwelling units contain in the aggregate more than eight rooms and the only means of egress is as above described; and, provided further, that, with the approval of the housing board and the supervisor of plans of the department of public safety, any building in a housing project, or any section of such a building which is set apart by a fire wall or fire walls, of more than three stories in height, which is of fireproof or fire resistive construction in accordance with any special law relative thereto, or with any ordinance, by-law or regulation of the city or town in which it lies, and which is provided with two enclosed stairways isolated from each other by fire division separations in accordance with any special law, relative thereto or with any ordinance, by-law or regulation of the city or town in which it lies, or as widely separated from each other as may be reasonably feasible, and which, if of more than six stories in height, is equipped with automatic sprinklers installed in cellars, basements, work-

rooms, shops, storerooms and kitchens, may be designed, erected and maintained with only one means of egress from each dwelling unit to a public corridor; provided, that when any room of a dwelling unit is more than forty feet from such means of egress, there shall be two egresses from such dwelling unit located at points as widely separated from one another as may be reasonably feasible; and, provided further, that in buildings three or more stories in height, stairs and landings, and doors connecting public corridors and stair enclosures, when serving not more than three hundred persons, shall be not less than three feet in width between walls or between wall and balustrades with stairs equipped with a hand rail on one side, although the only means of egress and fire extinguishing apparatus are as above described.

Chapter thirty-one and the rules made thereunder shall not apply to any officer, agent or employee of a housing authority or of the housing board or to any person employed on or in connection with any project of a housing authority.

Section 26T. Wages, Labor Requirements and Social Security. — In the development or administration of a project, a housing authority shall pay the wages or fees prevailing in its locality, as determined by the commissioner of labor and industries of the commonwealth, to all architects, technical engineers, draftsmen, technicians, laborers and mechanics employed in such development or administration. Each contractor with a housing authority, and each subcontractor, shall comply with the applicable requirements of chapter one hundred and forty-nine as to wages and hours of labor and any other conditions relating to labor.

Wages,
labor
requirements
and social
security.

A housing authority may enter into a compact or compacts with the Social Security Board or take such other action as it may deem appropriate to enable its employees to come within the provisions and obtain the benefits of the Social Security Act. If the employees of a housing authority shall come within the provisions of the Social Security Act, their employment shall be included in the term "employment" as used in sections one to seven, both inclusive, of chapter one hundred and fifty-one A.

Section 26U. Accounts, and Control by Housing Board. — Each housing authority shall keep an accurate account of all its activities and of all its receipts and expenditures and shall annually in the month of January make a report thereof to the housing board, to the director of the division of accounts in the department of corporations and taxation, and to the mayor of the city or to the selectmen of the town within which such authority is organized, such reports to be in a form prescribed by the board, with the written approval of said director. The housing board or the said director may investigate the affairs of housing authorities and their dealings, transactions and relationships. They shall severally have the power to examine into the properties and records of housing authorities and to prescribe methods of

Accounts and
control by
housing
board.

accounting and the rendering of periodical reports in relation to projects undertaken by such housing authorities. The housing board may from time to time make, amend and repeal rules and regulations prescribing standards and stating principles governing the planning, construction, maintenance and operation of projects by housing authorities. Compliance with the Housing Authority Law, the rules and regulations adopted by the housing board hereunder, and the terms of a clearance or low-rent housing project approved by the housing board, may be enforced by a proceeding in equity.

Liability
in contract
or tort.

Section 26V. Liability in Contract or Tort — Enforcement of Claims. — A housing authority shall be liable in contract or in tort in the same manner as a private corporation. The members of a housing authority shall not be personally liable as such on its contracts, or for torts not committed or directly authorized by them. The property or funds of a housing authority shall not be subject to attachment, or to levy and sale on execution, but if a housing authority refuses to pay a judgment entered against it in any court of competent jurisdiction, the supreme judicial court, sitting within and for the county in which the authority is situated, may, by writ of mandamus, direct the treasurer of such authority to pay such judgment. The real estate of a housing authority shall not be subject to liens under chapter two hundred and fifty-four, but the provisions of sections twenty-eight and twenty-nine of chapter one hundred and forty-nine shall be applicable to housing authorities.

Liability for
debts of,
limited.

Section 26W. Commonwealth and Cities and Towns not Liable for Debts of Housing Authority. — No bond, note or other evidence of indebtedness executed, or obligation or liability incurred, by a housing authority shall be a debt or charge against the commonwealth or any political subdivision thereof other than such housing authority. Nothing in the Housing Authority Law shall be construed to obligate the commonwealth, or any political subdivision thereof other than a housing authority, or to pledge its credit, to any payment whatsoever to any housing authority or to any bondholder or creditor thereof, nor shall anything therein contained be construed as granting to any housing authority any exemption from taxation except as expressly provided herein or to render the commonwealth, or any political subdivision thereof other than a housing authority, liable for any indebtedness or liability incurred, acts done, including any taking by eminent domain, or omissions or failures to act, of any housing authority.

PART III.

LOW RENT HOUSING PROJECTS.

Statement
of emergency.

Section 26X. Statement of Emergency. — It is hereby declared that sub-standard and decadent areas exist in cer-

tain portions of the commonwealth, and that there is not in the commonwealth, within a reasonable distance of the principal centres of employment, an adequate supply of low-rent housing for families of low income; that in certain portions of the commonwealth decent, safe and sanitary housing cannot be provided for families of low income in rural areas at a cost which would warrant private enterprise in the locality or in the same general area to provide an adequate supply thereof; that this situation tends to cause an increase and spread of disease and crime and constitutes a menace to the health, safety, morals, welfare and comfort of the inhabitants of the commonwealth and is detrimental to property values therein; that this situation cannot readily be remedied by the ordinary operations of private enterprise; that a public exigency exists which makes the clearance of sub-standard and decadent areas and the provision of housing for persons of low income a public necessity; that the clearance of sub-standard and decadent areas and the provisions of housing for persons of low income, or either, constitute a public use for which private property may be acquired by eminent domain and public funds raised by taxation may be expended; and the enactment of sections twenty-six J to twenty-six NN, inclusive, is declared to be a public necessity.

Section 26Y. Contracts with the Federal Government. — A housing authority, in each instance with the written approval of the board, and of the mayor of the city or the selectmen of the town in which the project is situated, may enter into agreements with the federal government relative to the acceptance or borrowing of funds for any low-rent housing project, or containing such other covenants, terms and conditions as the housing authority, with like approval, may deem desirable. The mayor of the city, with the approval of the city council, and the selectmen of the town are hereby designated as the governing body of the city or town for such approval of a project as may be required by federal legislation. A housing authority, with like approval, may enter into a contract with the federal government for purchasing or leasing a clearance or housing project owned or controlled by the federal government. If such a project has been so leased by a housing authority and such authority has by vote declared that the buildings of the project have been constructed in a manner that will afford necessary safety, sanitation and protection in other respects to the public, no changes shall be required by any officers of the commonwealth or of the city or town in the manner of construction, or the buildings, the fixtures or appurtenances thereto or the use for which the project was designed.

Contracts
with federal
government.

Section 26Z. Provisions of Contracts with the Federal Government. — A housing authority may obligate itself in any contract with the federal government for a loan or the payment of annual contributions under the Housing Authority Law to convey to the federal government the project to which such contract relates, upon the occurrence of a sub-

Contracts
with federal
government,
provisions of.

stantial default with respect to the covenants, terms and conditions of such contract to which the housing authority is subject. Such contract may further provide that, in case of such conveyance, the federal government may complete, operate, manage, lease, convey or otherwise deal with the project in accordance with the terms of such contract; provided that the contract shall require that, as soon as practicable after the federal government is satisfied that all of the defaults on account of which it acquired the project have been remedied, and that the project will thereafter be operated in compliance with the terms of the contract, the federal government shall reconvey to the housing authority the project in the condition in which it then exists. The obligation of a housing authority under this contract shall be subject to specific enforcement by any court having jurisdiction, and, notwithstanding any other provision of law, shall not be deemed to constitute a mortgage.

Project,
approval of.

Section 26AA. Submission of Project to Housing Board for Approval. — When an area shall have been determined by a housing authority to be an area within which a low-rent housing project should be undertaken, said housing authority may design a project for the clearance or rebuilding of the area, or any part thereof, or for providing low rent housing projects for families of low income in such area, and shall submit to the housing board the plans and layout of the project, the estimated cost thereof, the proposed method of financing it, and a detailed estimate of the expenses and revenues thereof. The board shall hold a public hearing upon such project, if requested in writing so to do, within ten days after the submission of the project, by the housing authority, or by the mayor or city council of the city or the selectmen of the town in which the proposed project is located, or by twenty-five or more taxable inhabitants of such city or town. If the housing board finds that the plans and layout conform to proper standards of health, sanitation and safety, that the financial plan is sound and that with the aid of any federal grant or other subsidy the revenue from the project will be sufficient to meet its annually recurring expenses, including, without limitation of the foregoing, payments in lieu of taxes, depreciation and service of its indebtedness, and that the probable costs are such that it will be practicable to rent the reconstructed or newly constructed property in accordance with the limitations set forth in section twenty-six FF without incurring an annual deficit, it shall, within thirty days after submission of the project, give written notice to the authority of its decision with respect to such project.

If the housing board shall disapprove any project it shall state in writing in such notice its reasons for disapproval. Unless and until written approval of such project is obtained, the housing authority shall not, except as otherwise provided in the following section, undertake such project. A project which has not been approved by the housing board when

submitted to it may be again submitted to it with such modifications as are necessary to meet its objections.

Section 26BB. Acquisition of Real Property within Area of Project. — When a housing authority has determined the location of a proposed project for the clearance of a sub-standard or decadent area or for providing low-rent housing for families of low income it may, without awaiting the approval of the housing board, proceed, by option or otherwise, to obtain control of the real property within the location; provided, that it shall not, without the approval of the board, unconditionally obligate itself to purchase any such property. When such a project has been approved by the board, and notice of such approval given to the housing authority, the housing authority may proceed at once to acquire real estate within the location of the project, either by eminent domain or by grant, purchase, lease, gift, exchange or otherwise, and may construct, or contract for the construction of, the buildings and facilities planned for the project. Except as herein otherwise provided, the provisions of said chapter seventy-nine and said chapter eighty A relative to counties, cities, towns, and districts, so far as pertinent, shall be applicable to a housing authority, and the members of a housing authority shall act on its behalf under said chapter.

Acquisition
of real
property.

Section 26CC. Appropriation by City or Town of Part of Expense of Project. — A city or town in which a housing authority has been organized may raise and appropriate, or agree with such authority or with the federal government to raise and appropriate, in aid of such authority, such sums as may be necessary for defraying such part of the development, acquisition or operating costs of a clearance, or low-rent housing project within such city or town, to which the federal government, pursuant to the federal legislation, has rendered or has agreed to render financial assistance, as will not be met by loans, contributions or grants from the federal government or otherwise. Such city or town may incur debt, outside the limit of indebtedness prescribed in section ten of chapter forty-four, payable within fifteen years and otherwise subject to sections sixteen to twenty-seven, inclusive, of said chapter forty-four, in order to lend to a housing authority such sums as may be necessary for defraying such part of the development or acquisition costs of such a project as will not be met by loans, contributions or grants from the federal government or otherwise; provided, that the total amount of such indebtedness of any city or town outstanding at any one time shall not exceed one half of one per cent of the average of the assessors' valuations of its taxable property for the three preceding years, reduced and otherwise determined as provided in said section ten of said chapter forty-four.

Municipal
appropriations.

Section 26DD. Approval of Borrowing. — So long as the emergency finance board, established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, is in existence, no money shall be borrowed by a city

Borrowing,
approval of.

or town for any of the purposes of the housing authority law, without the approval of said emergency finance board. If said emergency finance board shall cease to exist, a commission consisting of the attorney general, the state treasurer and the director of the division of accounts in the department of corporations and taxation shall exercise the powers given by this section to said emergency finance board. Either said board or said commission, as the case may be, shall hold a public hearing upon any matter submitted to it under this section if requested in writing so to do by twenty-five taxable inhabitants of such city or town within three days after the submission of such matter.

Agreements
with cities
or towns.

Section 26EE. Agreements between City or Town and Housing Authority. — For the purpose of complying with the conditions of federal legislation, or in lieu of a contribution, loan or grant in cash to a housing authority organized within its limits, or to aid and co-operate in the planning, construction or operation of a project of such an authority, a city or town, or the appropriate board or officer thereof on behalf of such city or town, may upon such terms, and with or without consideration, do or agree to do any or all of the following things, as such city, town, board or officer, as the case may be, may determine:—

(a) Sell, convey or lease any of its interests in any property, or grant easements, licenses or any other rights or privileges therein to such a housing authority or to the federal government;

(b) Cause parks, playgrounds or schools, or water, sewer or drainage facilities, or any other public improvements which it is otherwise authorized to undertake, to be laid out, constructed or furnished adjacent to or in connection with a housing project;

(c) Lay out and construct, alter, relocate, change the grade of, make specific repairs upon or discontinue, public ways and construct sidewalks, adjacent to or through a housing project;

(d) Adopt ordinances or by-laws under sections twenty-five to thirty A, inclusive, of chapter forty or repeal or modify such ordinances or by-laws; establish exceptions to existing ordinances and by-laws regulating the design, construction and use of buildings; annul or modify any action taken or map adopted under sections eighty-one A to eighty-one J, inclusive, of chapter forty-one.

(e) Cause public improvements to be made and services and facilities to be furnished to or for the benefit of such a housing authority for which betterments or special assessments may be levied or charges made, and assume or agree to assume such betterments, assessments or charges;

(f) Purchase and hold any of the bonds or notes of such a housing authority, and exercise all of the rights of a holder of such bonds or notes;

(g) Make available to a housing authority the services of its agencies, officers and employees;

(h) Cause private ways, sidewalks, footpaths, ways for vehicular travel, playgrounds, or water, sewer or drainage facilities and similar improvements, to be constructed or furnished within the site of a project for the particular use of the project or of those dwelling therein;

(i) Enter into agreements with a housing authority, the term of which agreements may extend over the period of a loan to the housing authority by the federal government, respecting action to be taken by such city or town pursuant to any of the powers granted by the Housing Authority Law; and

(j) Do any and all other things authorized by law and necessary or convenient to aid and co-operate in the planning, construction or operation of a housing project within its limits.

A contract under this section between a city or town and the federal government or between a city or town and a housing authority shall not be subject to any provision of law relating to publication or to advertising for bids.

Section 26FF. Maintenance and Operation — Tenant Selection — Rentals. — Upon the completion or acquisition of a project by a housing authority it shall be maintained and operated by such authority. It is hereby declared to be the policy of this commonwealth that each housing authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals for dwelling accommodations at the lowest possible rates consistent with providing decent, safe and sanitary dwelling accommodations, and that no housing authority shall construct or operate any such project for profit, or as a source of revenue to the commonwealth, or to the city or town in which it is located. To this end an authority shall fix the rentals for dwelling units in its projects at no higher rates than it shall find to be necessary in order to produce revenues which (together with all other available moneys, revenues, income and receipts of the authority from whatever sources derived) will be sufficient (a) to pay, as the same become due, the principal and interest on the bonds of the authority; (b) to meet the cost of insurance, and the payments in lieu of taxes provided by section twenty-six R and to provide for maintaining, operating and using the projects and the administrative expenses of the authority; and (c) to create, during not less than the six years immediately succeeding its issuance of any bonds, notes or other evidences of indebtedness, a reserve sufficient to meet the largest principal and interest payments which will be due on such bonds in any one year thereafter and to maintain such reserve. In the operation or management of low-rent housing projects an authority shall at all times observe the following requirements with respect to rentals and tenant selection: (a) It shall rent or lease the dwelling accommodations therein only at rentals within the financial reach of laborers and wage earners of low income. (b) It shall rent or lease to a tenant dwelling accommodations consisting of the least number of rooms

Maintenance
and operation.

which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding. (c) It shall not accept any person as a tenant in any project if the person or persons who would occupy the dwelling accommodations have an aggregate annual income in excess of five times the annual rental of the quarters to be furnished such person or persons, except that in the case of families with three or more minor dependents, such ratio shall not exceed six to one. (d) It shall not accept as a tenant in any project any person who is not a citizen of the United States. (e) There shall be no discrimination; provided, that if the number of qualified applicants for dwelling accommodations exceeds the dwelling units available, preference shall be given to inhabitants of the city or town in which the project is located, and to the families who occupied the dwellings eliminated by demolition, condemnation and effective closing as part of the project as far as is reasonably practicable without discrimination against persons living in other sub-standard areas within the same city or town. (f) As between applicants equally in need and eligible for occupancy of the dwelling and at the rent involved, preference shall be given to families of servicemen (including families of servicemen who died in service) and to families of veterans who have been discharged (other than dishonorably) from the armed forces of the United States within four years prior to the date of application for admission to such housing.

In computing the rental for the purpose of this section, there shall be included therein the average annual cost, as determined by the authority, to occupants of heat, water, electricity, gas, cooking range and other necessary services or facilities, whether or not the charge for such services and facilities is in fact included in the rental.

Section 26GG. Equivalent Elimination of Sub-Standard Dwellings. — No project for low-rent housing or the clearance of a sub-standard or decadent area involving the construction of new dwellings shall be undertaken by a housing authority unless, subsequent to the initiation of the project, there has been or will be elimination by demolition, condemnation and effective closing of unsafe or unsanitary buildings situated in the same city or town containing dwelling units substantially equal in number to the number of newly constructed dwelling units provided by the project; provided that such elimination may, in the discretion of the housing board, be deferred in any city or town for such period, not exceeding five years, as the board may determine from the completion of the project if the shortage of decent, safe or sanitary housing available to families of low income is so acute as to force dangerous overcrowding of such families.

Section 26HH. Bonds and Notes of Housing Authorities. — The bonds, notes and certificates of indebtedness of housing authorities, in the absence of an express recital to the contrary on the face thereof, shall constitute negotiable instruments for all purposes. They may be payable from the in-

Equivalent
elimination
of sub-
standard
dwellings.

Bonds and
notes of
housing
authorities.

come of the authority or constitute a general obligation thereof, may be sold at not less than par, at public or private sale, and may mature at such time or times, and may be secured in such manner, may provide for such rights and remedies upon their default and may contain such other covenants, terms and conditions not inconsistent with law, as may be provided by vote of the authority or in any trust indenture authorized by the authority. The bonds, notes and certificates of indebtedness of housing authorities issued under the Housing Authority Law, and the interest thereon shall be exempt from taxation, with respect to principal and income. The bonds of housing authorities issued under the Housing Authority Law shall be legal investments for the deposits and the income derived therefrom of savings banks and the savings departments of trust companies, for the trust funds of trust companies, for the capital and other funds of insurance companies, and for funds over which the commonwealth has exclusive control.

Section 26II. Rural Housing. — If a housing authority organized in a city or town in which rural areas are located shall undertake the provision of housing for families of low income in such rural areas, it shall comply with the following provisions and shall have the following powers, in addition to others specifically granted elsewhere in the Housing Authority Law: (a) The same preference shall be given to families of servicemen and veterans as is provided in requirement (f) of section twenty-six FF. (b) So far as practicable, such housing shall consist of separate single-family houses. (c) A housing authority which has undertaken housing in rural areas shall have the power to lease or sell houses erected or acquired by it, and in case of sale, to impose such covenants (which shall run with the land, if the housing authority so stipulates) regarding the land and the buildings thereon as it deems necessary to carry out the purpose of the Housing Authority Law. In case of lease, the lessee shall have the option to purchase such house at any time during his occupancy thereof at the price designated in his lease. When any such option is exercised, the purchaser shall be given credit for payments made by him which were applied toward amortizing the cost of the house, or in case the lease (with option to purchase) has been assigned to him by a previous lessee, such credit shall include such payments made by previous lessees. (d) Until a purchaser makes full payment for a house constructed by a housing authority under this section, the title to such house shall remain in the housing authority regardless of ownership of the land. (e) Provision for farm housing for families of low income shall be subject to the following conditions: (1) Before housing is constructed on a farm, the United States Department of Agriculture, or the United States Department of the Interior in the case of farms included in reclamation projects of that Department (through such representatives as it may designate), shall certify that the net annual income of the farm,

together with the nonfarm income of those to be housed is less than the amount necessary to enable them otherwise to obtain and maintain decent, safe, and sanitary housing and that the construction of a suitable type house on the farm is consistent with the respective programs of the Department involved; (2) Based upon the normal earning capacity of the farm, as certified by the United States Department of Agriculture or Department of the Interior, the housing authority shall determine that the farm owner can meet at least the minimum payments required of him. (3) In developing standards as to what constitutes decent, safe and sanitary dwellings, the housing authority shall take into consideration the needs of the family for which such housing is to be used; (4) With respect to houses on farms, there shall, so far as practicable, be a system of variable payments so that in any year when there is below normal production or prices there may be an appropriate decrease that year in payment below the minimum otherwise required, but only to the extent that credits have been established (as defined by the annual contributions contract) through previous payments by the farm owner in excess of the minimum required payments. (f) Provisions of nonfarm housing for families of low income in rural areas, with sufficient land for home gardens, shall be subject to the condition that the housing authority shall first determine that such housing will be so located that sources of employment will be accessible to the occupants thereof.

The housing board, with the approval of the mayor and city council of a city or the selectmen of a town, shall have all the powers of a housing authority under this section of the Housing Authority Law in order to provide housing for families of low income in any city or town where no housing authority exists. Upon the organization of a housing authority in such a city or town, all the rights, titles, powers, duties and obligations of a housing authority acquired or exercised by the housing board with respect to such housing shall immediately vest in such housing authority.

PART IV.

LAND ASSEMBLY AND REDEVELOPMENT PROJECTS.

Statement
of emergency.

Section 26JJ. Statement of Emergency. — It is hereby declared that sub-standard and decadent areas have become social and economic liabilities to the community; that other areas exist which by reason of inappropriate subdivision, the removal of means of transportation or a change in business or economic practices or other like causes have become incapable of beneficial use or development by private enterprise under existing law; that from time to time one or more large areas are devastated by fire, flood, explosion or other calamity, and by reason of the size and shape of the parcels of land and the location of the streets and other public

utilities within and adjacent to the area, cannot be restored by private enterprise under existing law without perpetuating conditions unfavorable to the public health, safety, convenience and welfare; that in many of the areas above described the owners of the several parcels of land within the area are affected by the unfavorable conditions in a similar way, but cannot agree upon a method of putting their property to its most beneficial use; that a public exigency exists which makes the reclamation, restoration and rehabilitation of such areas a public use and benefit for which private property may be acquired by eminent domain or regulated by wholesome and reasonable orders, laws and directions for the good and welfare of this commonwealth.

Section 26KK. Submission of Project to Housing Board for Approval. — Whenever a housing authority determines that a project for the assembly and redevelopment of a decadent area ought to be undertaken in the city or town in which it was organized, it shall apply to the housing board for approval of such a project. Such application shall be accompanied by a plan for the project, and a statement of the method proposed for financing the project and such other information as the board may require.

Submission
of project
for approval.

The board shall not approve any land assembly and redevelopment project unless the planning board, established under the provisions of section seventy of chapter forty-one for the city or town where the project area is located, shall have found and the board shall have concurred in such finding, or if no planning board exists in such city or town, unless the board shall have found, that (a) the project area would not by private enterprise alone, and without the aid sought by the housing authority from the federal government or other subsidy, be made available for development or redevelopment, (b) the proposed land uses and building requirements in the project areas in the locality where the project area is located will afford maximum opportunity to privately financed development or redevelopment consistent with the sound needs of the locality as a whole, (c) the redevelopment plan is based upon a local survey and conforms to a comprehensive plan for the locality as a whole, and (d) the financial plan is sound. The board, shall within thirty days after submission of the application, give written notice to the authority of its decision with respect to such project.

If the housing board shall disapprove any such project, it shall state in writing in such notice its reasons for disapproval. Unless and until written approval of such project is obtained, the housing authority shall not undertake such project; provided however that when a housing authority has determined the location of a proposed land assembly and redevelopment project, it may, without awaiting the approval of the housing board, proceed, by option or otherwise, to obtain control of the real property within the location; but it shall not, without the approval of the board, unconditionally obligate itself to purchase any such property. A project which has

not been approved by the housing board when submitted to it may be again submitted to it with such modifications as are necessary to meet its objections.

Purchasers
and lessees,
obligations
imposed on.

Section 26LL. Obligations to be Imposed on Purchasers and Lessees. — If a housing authority shall sell or lease any property acquired by it for a land assembly and redevelopment project, the terms of such sales or leases shall obligate the purchasers or lessees (a) to devote the land to the use specified in the redevelopment plan for said land; (b) to begin the building of their improvements within a reasonable time; (c) to give preference in the selection of tenants for dwelling units built in the project area to families displaced therefrom because of clearance and redevelopment activity, who desire to live in such dwelling units and who will be able to pay rents or prices equal to rents or prices charged other families for similar or comparable dwelling units built as a part of the same redevelopment; and (d) to comply with such other conditions as are necessary to carry out the purposes of the Housing Authority Law, or any requirements of the housing board and of any federal legislation under which loans, grants or contributions have been made or agreed to be made to meet a part of the cost of the project. Nothing in the Housing Authority Law shall be construed as limiting the power of a housing authority in the event of a default by a purchaser or lessee of land in a land assembly and redevelopment project to retake title to and possession of the property sold or leased free from the obligations in the conveyance or lease thereof.

Land assembly
and re-
development
projects,
certain
sections to
apply to.

Section 26MM. Sections Applicable to Land Assembly and Redevelopment Projects. — The provisions of the following sections of this chapter shall, so far as apt, be applicable to land assembly and redevelopment projects under this chapter, and to housing authorities while engaged in such projects; sections twenty-six Y, twenty-six Z, twenty-six AA, twenty-six BB, twenty-six CC, twenty-six DD, twenty-six EE and twenty-six HH.

PART V.

EFFECT OF PARTIAL INVALIDITY.

Separability
of provisions.

Section 26NN. Separability of Provisions. — The provisions of sections twenty-six I to twenty-six MM inclusive, are hereby declared to be severable and if any such provision, or the application of such provision to any person or circumstances, shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality of any of the remaining provisions of said sections or the application of such provision to persons or circumstances other than those as to which it is held invalid. It is hereby declared to be the legislative intent that said sections would have been adopted had such invalid or unconstitutional provision not been included therein.

SECTION 2. *Confirmation of Acts Previously Done.* — The incorporation of all housing authorities established under authority of section twenty-six L of chapter one hundred and twenty-one of the General Laws, inserted by section five of chapter four hundred and forty-nine of the acts of nineteen hundred and thirty-five, after the twenty-sixth day of July in the year nineteen hundred and thirty-five, and prior to the fifth day of July in the year nineteen hundred and thirty-eight, or under authority of section twenty-six L of chapter one hundred and twenty-one of the General Laws, inserted by section one of chapter four hundred and eighty-four of the acts of nineteen hundred and thirty-eight, after the fourth day of July in the year nineteen hundred and thirty-eight and prior to the effective date of this act, together with all proceedings, acts and things undertaken, performed or done with respect to such incorporation, are hereby ratified and confirmed, and such housing authorities are declared to be bodies politic and corporate, and shall have all of the powers, and be subject to all the obligations and duties, of housing authorities established under section one of this act. Any vote, action, contract or other act taken or entered into by the state board of housing or any housing authority, which would have been valid if this act had been in force when taken or entered into is hereby ratified and confirmed, to the same extent as if this act had then been in force.

Confirmation
of acts
previously
done.

SECTION 3. *Acquisition of Site by Urban Redevelopment Corporation from Housing Authority.* — Chapter one hundred and twenty-one A of the General Laws, as amended by chapter one hundred and twenty-nine of the acts of nineteen hundred and forty-six, is further amended by inserting the following new section after section seven: — *Section 7A.* A corporation organized under section three or an insurance company or a savings bank or group of savings banks operating under this chapter may purchase or lease from a housing authority real estate acquired by such authority for land assembly and redevelopment purposes under the Housing Authority Law upon such terms and conditions, consistent with this chapter, as shall be approved by the housing board and may erect and maintain a project upon the land so acquired. Such corporation shall not be required to offer its stock to the owners of the real estate within the location of the project and such owners have no preferential right to subscribe thereto; but in all other respects the provisions of this chapter shall be applicable to corporations acting thereunder and their projects.

Acquisition
of certain
sites from
housing
authorities.

Approved June 14, 1946.

Chap. 575 AN ACT RELATIVE TO THE REGULATION OF HORSE RACING AT RACE TRACKS WHERE THE PARI-MUTUEL SYSTEM OF WAGERING IS PERMITTED, WITH ESPECIAL REFERENCE TO THE DAYS AND TIMES WHEN SUCH RACING SHALL BE ALLOWED, AND THE AMOUNTS TO BE RETAINED BY THE LICENSEE OR LICENSEES AND THE AMOUNT TO BE PAID TO THE COMMISSION.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to provide a more careful regulation of horse racing at certain race tracks and to provide at once additional revenue for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 128A,
§ 2, etc.,
amended.

SECTION 1. Subsection (5) of section two of chapter one hundred and twenty-eight A of the General Laws, as appearing in section three of chapter three hundred and seventy-four of the acts of nineteen hundred and thirty-four, is hereby amended by striking out all after the word "noon" in the third line and inserting in place thereof the words: — for horse racing and not before seven o'clock post meridian for dog racing nor later than seven o'clock post meridian for running horse racing nor later than twelve o'clock midnight for harness horse racing and dog racing, — so as to read as follows: —

Hours for
holding
racing
meetings
limited.

(5) The hours of each day between which it is intended to hold or conduct racing at such meeting, which hours shall be not before twelve o'clock noon for horse racing and not before seven o'clock post meridian for dog racing nor later than seven o'clock post meridian for running horse racing nor later than twelve o'clock midnight for harness horse racing and dog racing.

G. L. (Ter.
Ed.), 128A,
§ 3, etc.,
amended.

SECTION 2. Section three of said chapter one hundred and twenty-eight A, as most recently amended by chapter two hundred and sixty-nine of the acts of nineteen hundred and forty-three, is hereby further amended by striking out clause (b) of subsection (5), as so appearing, and inserting in place thereof the following clause: —

Hours for
horse racing
limited.

(b) Such a meeting as may be for running horses shall be between the hours of twelve o'clock noon and seven o'clock post meridian only, and such a meeting as may be for harness horses may be between twelve o'clock noon and seven o'clock post meridian or between seven o'clock post meridian and twelve o'clock midnight.

G. L. (Ter.
Ed.), 128A,
§ 3, etc.,
further
amended.

SECTION 3. Said section three of said chapter one hundred and twenty-eight A, as amended, is hereby further amended by striking out clause (d) of said subsection (5), as so appearing, and inserting in place thereof the following clause: —

Dates for
holding horse
racing

(d) Such horse racing meetings may be held only between

the eighteenth day of April and the thirty-first day of October, both dates inclusive, in any year; provided, that no harness horse racing meeting other than one at which the racing is not earlier than seven o'clock post meridian, and no running horse racing meeting shall be held between the fifteenth day of August and the thirtieth day of September, both dates inclusive, except in connection with a state or county fair.

SECTION 4. Said section three of said chapter one hundred and twenty-eight A, as amended, is hereby further amended by striking out clause (j) of said subsection (5), as so appearing, and inserting in place thereof the following clause: —

(j) No licenses shall be issued for more than an aggregate of ninety racing days in any one year at the harness horse racing meetings combined, not including harness horse racing meetings at state or county fairs; and, except for harness horse racing meetings at state or county fairs, no license shall be issued to permit harness horse racing meetings to be held at the same time that a dog racing meeting or a running horse racing meeting is being held at a race track within ten miles of the track at which such harness horse racing meeting is to be held; and, except for state or county fairs, no licenses shall be issued to permit harness horse racing meetings to be held or conducted at the same time within twenty-five miles of another harness horse racing meeting.

SECTION 5. Section five of said chapter one hundred and twenty-eight A, as amended, is hereby further amended by striking out the first of the two paragraphs, as amended by chapter three hundred and fifty-one of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following paragraph: —

No other place or method of betting, pool making, wagering or gambling shall be used or permitted by the licensee, nor shall this chapter be deemed to authorize or legalize the pari-mutuel or certificate system of wagering on any races except horse and dog races at the track where such pari-mutuel or certificate system of wagering is conducted. Each licensee conducting a racing meeting shall become the custodian or depository for such sums as may be deposited with such licensee by patrons as wagers on the speed or ability of any one or more horses or dogs in a race or races and such licensee shall be responsible for such sum so deposited and shall return to the winning patrons so wagering on the speed or ability of any one or more horses or dogs in a race or races all sums so deposited as an award or dividend, according to the acknowledged and recognized rules and method under which such pari-mutuel or certificate system has been operated, less the breaks, as defined in this section, and less an amount not to exceed ten per cent of the total amount so deposited by the patrons wagering

meetings limited.

G. L. (Ter. Ed.), 128A, § 3, etc., further amended.

Licenses, issuance of number of days limited.

G. L. (Ter. Ed.), 128A, § 5, etc., amended.

Method, etc., of betting, regulated.

on the speed or ability of running horses in a race or races not conducted in connection with a state or county fair, and fifteen per cent of the total amount so deposited by the patrons wagering on the speed or ability of running horses in a race or races conducted in connection with a state or county fair and on the speed or ability of harness horses or of dogs in a race or races, whether or not conducted in connection with a state or county fair, and less the so-called breaks, as defined in this section.

G. L. (Ter. Ed.), 128A, § 5, etc., further amended.

Payments to state racing commission.

SECTION 6. Said section five of said chapter one hundred and twenty-eight A, as amended, is hereby further amended by adding at the end the following paragraph:—

Each person licensed to conduct a harness horse racing meeting, other than a licensee holding a racing meeting in connection with a state or county fair, shall pay to the commission on the day following each day of such harness horse racing meeting a sum equal to three and one half per cent of so much of the total amount deposited on the preceding day by the patrons so wagering at such meeting as does not exceed four hundred thousand dollars, four per cent of so much thereof as exceeds four hundred thousand dollars but does not exceed four hundred and fifty thousand dollars, four and one half per cent of so much thereof as exceeds four hundred and fifty thousand dollars but does not exceed five hundred thousand dollars, five per cent of so much thereof as exceeds five hundred thousand dollars but does not exceed five hundred and fifty thousand dollars, five and one half per cent of so much thereof as exceeds five hundred and fifty thousand dollars but does not exceed six hundred thousand dollars, six per cent of so much thereof as exceeds six hundred thousand dollars but does not exceed six hundred and fifty thousand dollars, and six and one half per cent of all over six hundred and fifty thousand dollars, said percentages to be paid from the fifteen per cent withheld, as provided in this section, from the total amount wagered.

G. L. (Ter. Ed.), 128A, § 5, etc., further amended.

Same subject.

SECTION 7. The first sentence of the third paragraph of said section five of said chapter one hundred and twenty-eight A, as most recently amended by section one of chapter three hundred and eighty-one of the acts of the current year, is hereby further amended by inserting before the word "horse" in the first line the word:— running,— so as to read as follows:— Each person licensed to conduct a running horse racing meeting, other than a licensee holding a racing meeting in connection with a state or county fair, shall pay to the commission on the day following each day of such horse racing meeting, a sum equal to three and one half per cent of so much of the total amount deposited on the preceding day by the patrons so wagering at such meeting as does not exceed seven hundred thousand dollars, four per cent of so much thereof as exceeds seven hundred thousand dollars but does not exceed eight hundred thousand dollars, four and one half per cent of so much thereof as exceeds eight hundred thousand dollars but does not exceed nine hundred thousand

dollars, and five per cent of so much thereof as exceeds nine hundred thousand dollars, said percentages to be paid from the ten per cent withheld, as provided in this section, from the total amount wagered. *Approved June 14, 1946.*

AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN MEMBERS OF THE POLICE FORCE OF THE METROPOLITAN DISTRICT COMMISSION AND OF POLICE OFFICERS AND FIREMEN IN CERTAIN CITIES AND TOWNS. *Chap. 576*

Be it enacted, etc., as follows:

SECTION 1. Chapter thirty-two of the General Laws is hereby amended by striking out section sixty-nine, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: — *Section 69.* The metropolitan district commission shall retire any permanent member of its police department, who began continuous service therein prior to July first, nineteen hundred and twenty-one, as follows: —

G. L. (Ter. Ed.), 32, § 69, amended.

Retirement of permanent members of metropolitan police force.

(a) If such member has become permanently disabled, mentally or physically, by injuries sustained through no fault of his own in the actual performance of his duty, from further performing duty as such member.

(b) If such member has performed faithful service in said department for not less than twenty years continuously and has become permanently incapacitated for further duty as such member before attaining the age of sixty.

(c) Upon the request of any such member, if he has performed faithful service in said department for not less than twenty years continuously, at any time after such member has attained the age of sixty and before attaining the age of sixty-five.

(d) Any member of said department, without any request on his part, on attaining the age of sixty-five and no permanent member of said department shall remain in service after he has attained or shall attain the age of sixty-five.

(e) Any member of said department retired under the provisions of subdivision (a) of this section shall receive an annual pension equal to two thirds of the regular annual compensation received by him at the time of his retirement.

(f) Any member of said department retired under the provisions of subdivision (b), (c) or (d) of this section shall receive an annual pension, equal to one half of his regular compensation at the time of his retirement if he has completed twenty years of service, and an additional amount equal to one per cent of said compensation for each year of service after the first twenty; provided, that the total amount of such pension shall not exceed sixty-five per cent of said annual compensation.

(g) The commission may, in case of an emergency, call upon any person pensioned under this section for such temporary service as a police officer as he may be fitted to per-

form, and during such service there shall be paid to him the difference between the rate of full pay for such employment and the rate of pension received by him.

G. L. (Ter. Ed.), 32, new sections 81A and 81B, added.

Retirement of firemen in certain cities.

SECTION 2. Said chapter thirty-two is hereby amended by inserting after section eighty-one, as amended, the two following new sections:—*Section 81A.* In cities, except Boston, which accepted sections eighty and eighty-one prior to January first, nineteen hundred and forty-six, or have accepted corresponding provisions of earlier laws, or are authorized by special law to grant non-contributory pensions to members of their fire departments, and shall accept this section and section eighty-one B by vote of the city council, subject to the provisions of the city charter, the fire commissioner in cities having such an official, otherwise the aldermen, in all cases with the approval of the mayor, shall retire from active service:

(a) Any fireman, call fireman or substitute call fireman who becomes permanently disabled, mentally or physically, by injuries sustained or illness incurred through no fault of his own in the actual performance of duty, from further performing duty as such member.

(b) Any permanent member of the fire department who has performed faithful service therein for not less than twenty years continuously, who becomes permanently incapacitated for further duty as such member before attaining the age of sixty.

(c) Any permanent member of said department, at his request, at any time after attaining the age of sixty and before attaining the age of sixty-five if he has performed faithful service therein for not less than twenty years continuously.

(d) Any permanent member of said department on attaining the age of sixty-five without any request on his part. No permanent member of said department shall remain in service after he has attained or shall attain the age of sixty-five.

No fireman whose employment began after June thirtieth, nineteen hundred and thirty-seven shall be subject to the provisions of this section and section eighty-one B.

The provisions of sections eighty and eighty-one, or of any special law authorizing the granting of non-contributory pensions to members of the fire department thereof, shall no longer apply in any city which accepts this section and section eighty-one B.

Pensions, amount of.

Section 81B. Any permanent member of a fire department retired under the provisions of subdivision (a) of section eighty-one A shall receive an annual pension equal to two thirds of the highest salary or other compensation received by him while holding the grade held by him at the time of his retirement. The pension of any call fireman or substitute call fireman retired under the provisions of said paragraph (a) shall be the same as that of a permanent member of the first grade of the same department in which he served, or,

if there be no grades, his compensation shall be that of a permanent member of the department performing duties like those which he performed.

Any permanent member of a fire department retired under the provisions of subdivision (b), (c) or (d) of said section eighty-one A shall receive an annual pension equal to one half of the highest annual compensation received by him while holding the grade held by him at the time of his retirement if he has completed twenty years of service, and an additional amount equal to one per cent of said annual compensation for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed sixty-five per cent of said annual compensation.

SECTION 3. Said chapter thirty-two is hereby further amended by inserting after section eighty-three, as amended, the following new section: — *Section 83A.* In cities, except Boston, which accepted section eighty-three prior to January first, nineteen hundred and forty-six, or have accepted corresponding provisions of earlier laws, or are authorized by special law to grant non-contributory pensions to members of their police departments, and shall accept this section by vote of the city council, subject to the provisions of the city charter, the mayor and aldermen, or the board of police where such board is established, shall retire from active service:

(a) Any member of the police department of such city who becomes permanently disabled, mentally or physically, by injuries sustained through no fault of his own in the actual performance of duty, from further performing duty as such member.

(b) Any permanent member of said department who has performed faithful service therein for not less than twenty years continuously and becomes permanently incapacitated for further duty as such member before attaining the age of sixty.

(c) Any permanent member of said department, at his request, at any time after attaining the age of sixty and before attaining the age of sixty-five, if he has performed faithful service therein for not less than twenty years continuously.

(d) Any permanent member of said department on attaining the age of sixty-five without any request on his part. No permanent member of said department shall remain in service after he has attained or shall attain the age of sixty-five.

Any member of said department retired under the provisions of subdivision (a) of this section shall receive an annual pension equal to two thirds of the highest annual compensation received by him while holding the grade held by him at the time of his retirement. Any member of said department, retired under the provisions of subdivision (b), (c) or (d) of this section shall receive an annual pension equal to one half of the highest annual compensation received by him while holding the grade held by him at the time of his retirement,

G. L. (Ter. Ed.), 32, new section 83A, added.

Retirement of police in certain cities.

if he has completed twenty years of service, and an additional amount equal to one per cent of said compensation for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed sixty-five per cent of said compensation.

The board of police, or the mayors in cities having no such board, may in an emergency call upon any person so pensioned for such temporary service in the department as he may be fitted to perform and during such service he shall be entitled to be paid the difference between the rate of full pay for such employment and the rate of pension received by him.

No police officer or fireman whose employment began after June thirtieth, nineteen hundred and thirty-seven shall be subject to the provisions of this section.

The provisions of section eighty-three, or of any special law authorizing the granting of non-contributory pensions to members of the police department thereof, shall no longer apply to any city which accepts this section.

G. L. (Ter. Ed.), 32, § 85A, etc., amended.

Retirement of firemen and police in certain towns.

SECTION 4. Said chapter thirty-two is hereby further amended by striking out section eighty-five A, as most recently amended by section nine of chapter four hundred and eighty-three of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 85A.* In any town which accepted this section prior to January first, nineteen hundred and forty-six, the provisions of section eighty-five or section eighty-five E, whichever is in force therein, relative to the retirement of permanent members of the fire department and police department for incapacity shall apply to call members of its fire department and to police officers appointed under section ninety-six of chapter forty-one, except that a person retired hereunder shall annually receive from the town a pension at such rate, not exceeding five hundred dollars a year, as the town may authorize.

G. L. (Ter. Ed.), 32, § 85D, etc., amended.

Retirement of call firemen in certain towns.

SECTION 5. Said chapter thirty-two is hereby further amended by striking out section eighty-five D, as most recently amended by section eleven of said chapter four hundred and eighty-three, and inserting in place thereof the following section:— *Section 85D.* In any town which accepted this section prior to January first, nineteen hundred and forty-six, the provisions of section eighty-five or section eighty-five E, whichever is in force therein, relative to the retirement of permanent members of the fire department for incapacity shall apply to call members of its fire department, except that the pension of any call member retired hereunder shall be the same as that of a permanent member of the first grade of the fire department, or, if there be no grades, the same as that of a permanent member of the fire department performing duties like those which he performed.

G. L. (Ter. Ed.), 32, new §§ 85E and 85F, added.

SECTION 6. Said chapter thirty-two is hereby further amended by inserting after section eighty-five D, inserted by chapter two hundred and twenty of the acts of nineteen hundred and thirty-seven, the two following new sections:—

Section 85E. The selectmen of every town which accepted section eighty-five prior to January first, nineteen hundred and forty-six, or has accepted corresponding provisions of earlier laws, or is authorized by special law to grant non-contributory pensions to members of its police department or fire department, as the case may be, and shall accept this section by vote of the town at a town meeting, shall retire from active service:

Retirement
of police and
firemen in
certain towns.

(a) Any permanent member of the police department and any permanent member of the fire department of such town who becomes permanently disabled, mentally or physically, by injuries sustained through no fault of his own in the actual performance of duty, from further performing duty as such member.

(b) Any permanent member of either of said departments who has performed faithful service therein for not less than twenty years continuously and becomes permanently incapacitated for further duty as such member before attaining the age of sixty.

(c) Any permanent member of either of said departments, at his request, at any time after attaining the age of sixty and before attaining the age of sixty-five, if he has performed faithful service therein for not less than twenty years continuously.

(d) Any permanent member of either of said departments on attaining the age of sixty-five without any request on his part. No permanent member of either of said departments shall remain in service after he has attained or shall attain the age of sixty-five.

If a permanent member of a police department of such a town was, prior to the establishment of a police department therein, employed in said town as a police officer by appointment under section ninety-six of chapter forty-one, the period of such appointment shall be counted as a part of his continuous service as a permanent member of its police department.

Any member of either of said departments retired under the provisions of subdivision (a) of this section shall receive an annual pension equal to two thirds of the highest annual compensation received by him while holding the grade held by him at the time of his retirement. Any member of either of said departments retired under the provisions of subdivision (b), (c) or (d) of this section shall receive an annual pension equal to one half of the highest annual compensation received by him while holding the grade held by him at the time of his retirement if he has completed twenty years of service, and an additional amount equal to one per cent for each year of service after the first twenty; provided, that the total amount of such pension shall in no case exceed sixty-five per cent of said compensation.

The selectmen may in an emergency call upon any person so pensioned for such temporary service in the department from which he was retired as they may deem him

fitted to perform, and during such service he shall be entitled to be paid the difference between the rate of full pay for such employment and the rate of pension received by him.

No police officer or fireman whose employment began after June thirtieth, nineteen hundred and thirty-seven shall be subject to the provisions of this section.

The provisions of section eighty-five, or of any special law authorizing the granting of non-contributory pensions to members of the police department or the fire department, as the case may be, of a town which accepts this section shall no longer apply thereto.

Retirement
for disability,
medical ex-
aminations.

Section 85F. No police officer shall be retired for either accidental or ordinary disability under section sixty-nine, and no police officer or fireman shall be retired therefor under sections eighty to eighty-five E, inclusive, or any of them, unless he has first been examined by a medical panel consisting of three physicians and unless a majority of the physicians on such medical panel shall, after such examination and after a review of all the pertinent facts in the case, certify in writing that such police officer or fireman is mentally or physically incapacitated for further duty and that such incapacity is likely to be permanent, and, in any case involving a retirement for accidental disability, that the disability is such as might be the natural and proximate result of the accident or hazard undergone on account of which such retirement is so claimed. Such medical panel of three physicians shall be designated as provided in subsection (3) (a) of section six, except that the retiring authority shall act in place of the retirement board in the case of any police officer or fireman retired under the provisions of the aforesaid sections; and, provided further that the expense of any medical examination of any such police officer or fireman shall be paid from the same source from which his compensation was paid.

G. L. (Ter.
Ed.), 32,
§ 86,
amended.

Pensions,
amount of.

SECTION 7. Said chapter thirty-two is hereby further amended by striking out section eighty-six, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 86.* If any police officer who has been retired under section sixty-nine, or any police officer or fireman who has been retired under sections eighty to eighty-five E, inclusive, or any of them, shall be engaged in any gainful occupation from which the actual or potential earnings exceeds the difference between the pension received by him and the annual rate of his regular compensation in effect on the date of his retirement, the pension shall be so reduced that the total amount of the pension and such extra earnings shall not exceed the amount of his regular compensation prior to his retirement.

Special
provisions.

SECTION 8. The non-contributory retirement allowance of any police officer or fireman retired by a city or town on or after May fifteenth, nineteen hundred and forty-six and prior to the acceptance by such city or town of the applicable

provisions of sections eighty-one A, eighty-one B, eighty-three A and eighty-five E of chapter thirty-two of the General Laws, relating to the retirement of police officers and firemen therein, shall, on and after the date of such acceptance, be paid under and subject to the provisions of the sections so accepted.

Approved June 14, 1946.

AN ACT EXEMPTING VETERANS OF WORLD WAR II FROM CERTAIN REQUIREMENTS OF LAW AS TO THE EDUCATIONAL OR EXPERIENCE QUALIFICATIONS OF APPLICANTS FOR AUTHORITY TO ENGAGE IN A TRADE OR OCCUPATION.

Chap. 577

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately exempt veterans of World War II from certain requirements of law as to the educational or experience qualifications of applicants for authority to engage in a trade or occupation, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

So much of the provisions of any law relative to the granting of licenses or permits to persons for authority to engage in any trade or occupation as became effective on or after September sixteenth, nineteen hundred and forty and originally imposed upon applicants therefor educational or experience qualifications, or made educational or experience qualifications already imposed thereon more strict, shall not apply to applicants for such licenses or permits who shall have served in the armed forces of the United States during World War II and make application therefor within four years after their discharge or release, other than a dishonorable one, from such service, or within four years after the effective date of this act, whichever is the later. Such applicants shall be subject only to such educational and experience qualifications as were required by the provisions of law in force immediately prior to said September sixteenth, nineteen hundred and forty.

Approved June 14, 1946.

AN ACT ESTABLISHING THE SALARY OF THE JUSTICE OF THE MUNICIPAL COURT OF THE CHARLESTOWN DISTRICT.

Chap. 578

Be it enacted, etc., as follows:

Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section seventy-six, as most recently amended by section one of chapter five hundred and thirty of the acts of the current year, and inserting in place thereof the following section:—*Section 76.* The salary of the justice of the Boston juvenile court shall be five thousand dollars, and that of the clerk of said court an amount equal to seventy-five per cent of the salary of the justice. The salary of the justice of the East Boston district court shall be fifty-six hundred dollars, the salary

G. L. (Ter. Ed.), 218, § 76, etc., amended.

Salaries of justices and clerks of certain district courts.

of the justice of the municipal court of the South Boston district shall be fifty-six hundred dollars, the salary of the justice of the municipal court of the Brighton district shall be fifty-six hundred dollars and the salary of the justice of the municipal court of the Charlestown district shall be fifty-six hundred dollars. The salaries of the justices of the following district courts shall severally be as follows: First district court of Barnstable, twenty-seven hundred dollars; second district court of Essex, twenty-four hundred dollars; second district court of Plymouth, thirty-two hundred dollars; third district court of Plymouth, twenty-five hundred dollars; fourth district court of Plymouth, twenty-five hundred dollars; district court of Peabody, three thousand dollars; district court of eastern Hampshire, twenty-one hundred dollars; district court of Newburyport, three thousand dollars.

Approved June 14, 1946.

Chap. 579 AN ACT GRANTING CERTAIN EXEMPTIONS FROM TAXATION TO DISABLED VETERANS OF WORLD WAR I AND WORLD WAR II.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 59, § 5, etc., amended.

Section five of chapter fifty-nine of the General Laws is hereby amended by striking out clause Twenty-second, as amended, and inserting in place thereof the following clause:—

Exemption from taxation of property of certain veterans, etc.

Twenty-second, Property of the following classes of persons who are legal residents of the commonwealth to the amount of two thousand dollars in the case of each person; provided, that only two thousand dollars of the combined estate of any veteran and his wife shall be exempted; and provided, further, that the whole estate, real and personal, of the person so exempted or the combined property of a veteran and his wife does not exceed eight thousand dollars, exclusive of the value of the mortgage interest held by persons other than the person to be exempted in such mortgaged real estate as may be included in said whole estate or combined property; but if, said whole estate or combined property being less than two thousand dollars, the sum total thereof and of such mortgage interest exceeds two thousand dollars, the amount so exempted shall be two thousand dollars:

(a) Soldiers and sailors, who served in the military or naval service of the United States in the war of the rebellion, in the Spanish war, in the Philippine insurrection or in World War I or World War II, and were honorably discharged or honorably released therefrom, and, by reason of injury received or disease contracted while in such service and in the line of duty, lost the sight of both eyes, or of one eye, the sight of the other having been previously lost, or who lost one or both feet, or one or both hands.

(b) Soldiers and sailors who served and were honorably discharged or honorably released as aforesaid, and who,

as the result of disabilities contracted while in such service and in the line of duty, have a disability rating of twenty per cent as determined by the Veterans' Administration.

(c) Wives or widows of soldiers or sailors who would be entitled to exemption under paragraph (a) or (b).

If the property of a person entitled to such exemption is taxable in more than one town, or partly without the commonwealth, only such proportion of the two thousand dollars exemption shall be made in any town as the value of the property taxable in such town bears to the whole of the taxable property of such person. The certificate of the granting of a pension by the United States to a soldier or sailor for an injury or disability shall, while the pension continues, be sufficient evidence of the receiving of the injury or disability; but the assessors may receive other evidence thereof. A person aggrieved by the judgment of the assessors may appeal to the county commissioners or to the appellate tax board within the time and in the manner allowed by section sixty-four or sixty-five, as the case may be.

Approved June 14, 1946.

AN ACT FURTHER REGULATING THE TIME OF PAYMENT OF THE SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE COMMONWEALTH.

Chap. 580

Be it enacted, etc., as follows:

SECTION 1. Chapter twenty-nine of the General Laws is hereby amended by striking out section thirty-one, as most recently amended by section one of chapter six hundred and thirty-five of the acts of nineteen hundred and forty-five, and inserting in place thereof the following: — *Section 31.* Unless otherwise provided, salaries of three thousand dollars a year or more payable by the commonwealth shall be paid on the first day of each month for the preceding month, and salaries of less than three thousand dollars a year payable by the commonwealth shall be paid weekly under such regulations as the state treasurer may prescribe, and said salaries shall be in full for all services rendered to the commonwealth by the persons to whom they are paid. Advances on account of salaries of three thousand dollars or more may be made under such regulations as the state treasurer may prescribe, not exceeding the proportion of salary then due, nor oftener than once in seven days nor after the twenty-fifth day of the month. No salary shall be paid to any person for a longer period than that during which he has been actually employed in the duties of his office. If a salary shall be diminished, no greater rate shall be paid because of any previous appropriation therefor. Notwithstanding the foregoing provisions of this section, the annual salary of each teacher, instructor and supervisor in education employed in any school, college or institution within any department of the commonwealth, whose regular service is rendered from September first to

G. L. (Ter. Ed.), 29, § 31, etc., amended.

Salaries, time of payment of.

June thirtieth, shall be for his service for the number of weeks established by the department for such school or college, or for the school or class of instruction at such an institution, to be in session during said period, payable, however, in equal weekly instalments, and the amount earned and unpaid at the time of his resignation, retirement, death or entry on leave of absence shall be paid forthwith to the persons entitled thereto, and advances of pay may be made to any state officer or employee in advance of his regular vacation to the extent of the equivalent of the pay to which he is about to become entitled during such vacation period under such regulations as the state treasurer may prescribe.

G. L. (Ter. Ed.), 29, new § 31B, added.

Payment of teachers.

Effective date.

SECTION 2. Said chapter twenty-nine is hereby further amended by inserting after section thirty-one A, inserted by chapter five hundred and twenty of the acts of the current year, the following new section: — *Section 31B.* Teachers in institutions of the commonwealth having weekly payrolls, at the option of the department within which such institutions are established, may be paid weekly.

SECTION 3. Section one of this act shall not take effect until July first, nineteen hundred and forty-seven.

Approved June 14, 1946.

Chap. 581 AN ACT FURTHER PROVIDING SUITABLE RECOGNITION OF CERTAIN RESIDENTS OF MASSACHUSETTS WHO SHALL HAVE SERVED IN THE ARMED FORCES OF THE UNITED STATES DURING WORLD WAR II.

Be it enacted, etc., as follows:

SECTION 1. Chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five is hereby amended by striking out section one, as amended by section one of chapter two hundred and ten of the acts of the current year, and inserting in place thereof the following section: — *Section 1.* Upon application, as hereinafter provided, there shall be allowed and paid out of the treasury of the commonwealth, without appropriation and without a warrant from the governor and council, to each person who shall have served in the armed forces of the United States, in active service, on or after September sixteenth, nineteen hundred and forty and prior to the termination of the present war, as declared by presidential proclamation or concurrent resolution of the congress, and shall have received a discharge or release, other than a dishonorable one, from such service, the sum of one hundred dollars and, in addition thereto, the sums hereinafter specified; provided, that the domicile of every person on account of whose service the application is filed shall have been in the commonwealth for a period of not less than six months immediately prior to the time of his entry into service.

Payments under this act which are in addition to the said sum of one hundred dollars shall be to persons and in sums as follows: —

(1) One hundred dollars to each person who performed active service for more than six months but served no part thereof in Alaska or in any place outside the continental limits of the United States;

(2) Two hundred dollars to each person who performed active service outside the continental limits of the United States or in Alaska.

SECTION 2. Said chapter seven hundred and thirty-one is hereby further amended by striking out section two, as amended by section two of said chapter two hundred and ten, and inserting in place thereof the following: — *Section 2.* The words "armed forces", as used in this act, shall mean the following: — United States Army, Army of the United States, United States Navy, United States Naval Reserve, United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard, United States Coast Guard Reserve, Women's Army Corps, Women's Auxiliary — Navy, Women's Auxiliary — United States Marine Corps, Women's Auxiliary — United States Coast Guard, Army Nurse Corps, Navy Nurse Corps, and Commissioned Corps of the United States Public Health Service and officers of the United States Coast and Geodetic Survey assigned to active duty with any of the foregoing.

SECTION 3. Said chapter seven hundred and thirty-one is hereby further amended by inserting after section three the following section: — *Section 3A.* In the case of any person who is mentally incompetent and is entitled to the benefits of this act and for whom no legal guardian has been appointed by the court, the sum named therein shall be paid to his dependents, and in determining the order of precedence so far as practicable the following order shall be observed: wife and children, mother or father, brother or sister, other dependents.

SECTION 4. Section five of said chapter seven hundred and thirty-one is hereby amended by adding at the end the following sentence: — Nothing in this section shall prevent any veteran from being eligible for the benefits of this act if he was honorably discharged.

SECTION 5. Said chapter seven hundred and thirty-one is hereby further amended by inserting after section eight the following section: — *Section 8A.* Any person aggrieved by a decision of the state treasurer in the matter of payments provided for by this act may appeal to a board, to consist of a member of the department of the state treasurer to be designated by the state treasurer, an assistant attorney general to be designated by the attorney general, and the adjutant general or his representative, and shall be entitled to a hearing, after due notice, upon such appeal. The decision of said board shall be final.

SECTION 5A. Said chapter seven hundred and thirty-one is hereby further amended by inserting after section ten the following section: — *Section 10A.* There is hereby imposed upon all domestic manufacturing corporations, foreign manu-

facturing corporations, domestic business corporations and foreign corporations, as defined in chapter sixty-three of the General Laws, as amended, in addition to the taxes levied under the provisions of sections thirty to fifty-one, inclusive, of said chapter sixty-three and all acts in amendment thereof and in addition thereto, and in addition to the taxes imposed upon such corporations under section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one and under chapter five hundred and fifty-seven of the acts of nineteen hundred and forty-five, a further additional excise tax equal to one and one half per cent of the net income of each such corporation determined to be taxable in accordance with the provisions of said chapter sixty-three; provided, that the tax imposed by this section shall not apply to corporations taxable under section thirty-eight B of said chapter sixty-three. All provisions of law relative to the assessment, payment, collection and abatement of the taxes imposed under said chapter sixty-three upon corporations taxable hereunder shall apply to the additional taxes herein imposed. This section shall apply only to taxes levied in or on account of the calendar years nineteen hundred and forty-seven, nineteen hundred and forty-eight, nineteen hundred and forty-nine and nineteen hundred and fifty. The surtaxes imposed upon corporations of the classes named in this section by section nine of chapter seven hundred and twenty-nine of the acts of nineteen hundred and forty-one and by chapter five hundred and fifty-seven of the acts of nineteen hundred and forty-five shall apply to the taxes imposed by this section.

SECTION 6. The additional payments under section one of said chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five provided for by this act shall be made from the proceeds of the taxes assessed under said chapter seven hundred and thirty-one, and any act in amendment thereof, and from the proceeds of such other taxes or from such other sources as the general court may from time to time determine.

SECTION 7. Said chapter seven hundred and thirty-one is hereby amended by striking out section twelve, as amended by section one of chapter one hundred and thirty-four of the acts of the current year, and inserting in place thereof the following:— *Section 12.* The state treasurer may borrow from time to time on the credit of the commonwealth, in anticipation of receipts from the taxes imposed by this act, or any amendment thereof, such sums of money as may be necessary for the payment of the expenditures authorized thereby, and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section 3 of Article LXII of the amendments

to the constitution of the commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and forty-nine. Notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

Approved June 14, 1946.

AN ACT MAKING CERTAIN CHANGES IN THE LAWS RELATIVE TO AERONAUTICS. *Chap. 582*

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to make immediately operative certain amendments to the laws relative to aeronautics which are deemed by the General Court necessary to immediately perfect such laws, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety of the General Laws is hereby amended by striking out section forty, as most recently amended by section three of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty-nine, and inserting in place thereof the following section: — *Section 40.* The Massachusetts aeronautics commission, in sections thirty-five to fifty-two, inclusive, called the commission, shall foster air commerce and private flying within the commonwealth and for such purpose shall: (a) encourage the establishment of airports and air navigation facilities and the development of education in aeronautics; (b) make recommendations to the governor and to the general court as to necessary legislation or action pertaining thereto; (c) consult with the civil aeronautics administration and other agencies of the federal government in carrying forward research and development in aeronautics; (d) exchange with the said civil aeronautics administration and with other state governments through existing governmental channels information pertaining to civil air navigation.

G. L. (Ter.
Ed.), 90,
§ 40, etc.,
amended.

Powers and
duties of
commission.

The commission may: (1) Co-operate with the federal government, and with any agency or department thereof, in the acquisition, establishment, construction, enlargement, improvement, protection, equipment, maintenance and operation of airports and other air navigation facilities within the commonwealth, and comply with the provisions of federal law, and any rules and regulations made thereunder, for the expenditure of federal funds for or in connection with such airports or other navigation facilities; (2) accept, receive and receipt for federal funds, and also other funds, public or private, for and in behalf of the commonwealth or as agent for any subdivision thereof, for the acquisition, establishment, construction, enlargement, improvement, protection, equipment, maintenance and operation of airports and other air navigation facilities within the common-

wealth or such subdivisions, or jointly; provided that, if federal funds are received for such work, such funds shall be accepted upon such terms and conditions as may be prescribed by federal law and any rules and regulations made thereunder; (3) advise and co-operate with any political subdivision of this state or of any other state in all or any matters relating to aeronautics. For such purpose the commission may confer with, or hold joint hearings with, any federal or state aeronautical agency in connection with any provision of sections thirty-five to fifty-two, inclusive.

The commission shall enforce sections thirty-five to fifty-two, inclusive, and all orders, rules and regulations made pursuant thereto and other laws of the commonwealth relating to aeronautics, and shall have and may exercise for any or all of such purposes such powers and authority as may be reasonably necessary therefor. Every state, county and municipal officer charged with the enforcement of laws in their respective jurisdiction shall assist and co-operate with the commission in such enforcement.

G. L. (Ter. Ed.), 90, § 41, etc., amended.

Investigations.

SECTION 2. Said chapter ninety is hereby further amended by striking out section forty-one, as most recently amended by section three of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty-nine, and inserting in place thereof the following section:—

Section 41. The commission, or the director if so designated by it, may hold investigations or hearings relative to matters covered by any provision of sections thirty-five to fifty-two, inclusive, or of any order, rule or regulation of the commission, and shall hold investigations relative to any accident involving personal injury occurring in connection with aeronautics within the commonwealth.

The commission shall report to the civil aeronautics board aeronautical accidents within the commonwealth, and so far as possible shall preserve, protect and prevent the removal of the component parts of any aircraft involved in any such accident being investigated by it.

G. L. (Ter. Ed.), 90, § 43, etc., amended.

Rules, etc., to be kept on file.

SECTION 3. Said chapter ninety is hereby further amended by striking out section forty-three, as most recently amended by section three of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty-nine, and inserting in place thereof the following section:—*Section 43.* The commission shall keep on file for public inspection at the office of the state secretary, and also at its principal office, a copy of all its orders and general and special rules and regulations, as amended from time to time.

G. L. (Ter. Ed.), 90, new §§ 51A and 51B, added.

Leases of airports, etc.

SECTION 4. Said chapter ninety is hereby further amended by inserting after section fifty-one, as appearing in said section three of said chapter three hundred and ninety-three, the following two new sections:—*Section 51A.* Subject to such terms and conditions as it deems necessary in the public interest, the commission, with the approval of the governor and council, may lease for operation to any person, to any municipality, to the federal government or

to any department, board or agency of any of the foregoing, for terms not exceeding thirty years, any part of an airport or other air navigation facility or real property acquired or set apart for airport purposes by the commonwealth, and may lease or confer upon its lessee or assignee the privileges of concessions for supplying goods, commodities, things, services and facilities upon the property leased or assigned.

Section 51B. Except as otherwise provided by law, each airport owned by the commonwealth shall be under the supervision of an airport manager appointed by the commission. Each airport manager shall be qualified by general management experience and aeronautical knowledge, shall be exempt from chapter thirty-one and shall receive such salary as the commission, with the approval of the governor and council, may fix. Each such airport manager shall be responsible to the commission for the proper maintenance and operation of such airport and of all facilities under his supervision.

Airport
manager.

SECTION 5. Chapter six hundred and ninety-five of the acts of nineteen hundred and forty-one is hereby amended by striking out section fourteen and inserting in place thereof the following section: — *Section 14.* The commissioner of public works shall establish a bureau for the maintenance and operation of the General Edward Lawrence Logan Airport. The maintenance and operation of said airport shall be in charge of an airport manager to be appointed by said commissioner. Said manager shall be qualified in general management experience and aeronautical knowledge, shall be exempt from chapter thirty-one and shall receive such salary as the said commissioner, with the approval of the governor and council, may fix. *Approved June 14, 1946.*

AN ACT MAKING CERTAIN CHANGES IN THE LAWS RELATIVE TO THE MASSACHUSETTS AERONAUTICS COMMISSION AND ITS POWERS AND DUTIES.

Chap. 583

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to make immediately operative certain amendments to the laws relative to the Massachusetts aeronautics commission which are deemed by the General Court necessary to immediately perfect such laws, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter six of the General Laws is hereby amended by adding after section fifty-six, inserted by section three of chapter three hundred and sixty-eight of the acts of the current year, under the heading MASSACHUSETTS AERONAUTICS COMMISSION, the three following sections: — *Section 57.* There shall be a commission to be known as the Massachusetts aeronautics commission, consisting of

G. L. (Ter.
Ed.), 6, new
§§ 57, 58 and
59, added.

Commission,
organization.

five members to be appointed by the governor, no more than three of whom shall, at any one time, be members of the same political party. Of the members so appointed three shall be persons having practical experience in aeronautics. Upon the expiration of the term of office of a member of the commission, his successor shall be appointed for a term of five years and shall serve until the qualification of his successor. The governor shall from time to time designate one of the members of the commission to act as chairman. Each member of the commission shall receive the sum of twenty dollars for each day or part thereof of service as a commissioner; provided, that no member shall receive in any fiscal year for such service a sum in excess of two thousand dollars.

The commission shall be provided with suitable offices at the General Edward Lawrence Logan Airport and elsewhere within the commonwealth as the commission may determine.

The commission may, subject to appropriation, incur such expenses as may be necessary to administer and enforce the provisions of sections thirty-five to fifty-two, inclusive, of chapter ninety and other laws of the commonwealth relating to aeronautics.

The commission shall make an annual report to the general court.

Director.

Section 58. The commission shall employ a director who shall be exempt from chapter thirty-one and shall receive such salary as the commission, with the approval of the governor and council, may fix. He shall be appointed with due regard to his fitness, by reason of aeronautical training and knowledge of and recent practical experience in aeronautics, for the efficient exercise of his powers and duties. He may be removed from office only by the affirmative votes of four members of the commission. Such duties as the commission shall deem expedient may be delegated to the director.

Director to
be executive
officer of
commission.

Section 59. The director shall be the executive officer of the commission and, subject to its supervision and control, shall administer the provisions of sections thirty-five to fifty-two, inclusive, of chapter ninety and the rules, regulations and orders issued and promulgated thereunder, and all other laws of the commonwealth which grant powers to or impose duties upon the commission. He shall attend all meetings of the commission but shall have no vote.

The commission may employ such employees and assistants as may be necessary to carry out the provisions of sections thirty-five to fifty-two, inclusive, of chapter ninety. Each member of the commission and each employee and assistant thereof, including the director, shall be reimbursed for all necessary traveling and other expenses incurred by him in the discharge of his official duties.

Repeal.

SECTION 2. Sections thirty-six to thirty-eight, inclusive, of chapter ninety of the General Laws are hereby repealed.

SECTION 3. Said chapter ninety is hereby further amended by striking out section thirty-nine, as amended by section thirteen of chapter six hundred and ninety-five of the acts of nineteen hundred and forty-one, and inserting in place thereof the following section:—*Section 39.* The commission shall have general supervision and control over aeronautics and shall have general supervision of the construction, maintenance and operation of all air navigation facilities and airports, including airport buildings, owned by the commonwealth, except as otherwise provided by law.

G. L. (Ter. Ed.), 90, § 39, etc., amended.

Powers and duties of commission.

Subject to the approval of the governor, the commission may represent the commonwealth in matters relative to aeronautics before boards, commissions, departments or other agencies of the federal government and other states and international conferences, and before committees of the Congress of the United States.

For the purpose of carrying out the provisions of sections thirty-five to fifty-two, inclusive, and for the purpose of protecting and insuring the general public interests and safety, and the safety of persons receiving instructions concerning, or operating or using, aircraft and of persons and property being transported in aircraft, and for the purpose of developing and promoting aeronautics within the commonwealth, the commission may perform such acts, may issue and amend such orders and may with the approval of the governor and council, make and amend such reasonable general or special rules and regulations as it deems necessary; provided, however, that such rules and regulations shall not be inconsistent with, or contrary to, any act of the Congress of the United States relating to aeronautics or any regulations promulgated or standards established pursuant thereto. No rule or regulation of the commission shall apply to airports, restricted landing areas, or air navigation facilities owned or operated by the United States within the commonwealth.

SECTION 4. Nothing in this act shall affect the terms of office of members of the Massachusetts aeronautics commission holding office on the effective date thereof by appointment of the governor.

SECTION 5. Rules, regulations and orders of the Massachusetts aeronautics commission made under authority of section thirty-nine of chapter ninety of the General Laws, as amended, or of any other pertinent provision of law, and in force upon the effective date of this act shall continue in full force and effect until altered, amended or repealed under authority thereof.

Existing rules to continue in force, etc.

Approved June 14, 1946.

Chap. 584 AN ACT TO AMEND THE LAWS RELATIVE TO STATE AND MILITARY AID, SOLDIERS' RELIEF, ETC., AND IN CERTAIN OTHER RESPECTS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter one hundred and fifteen, as amended, and inserting in place thereof the following chapter:—

CHAPTER 115.

VETERANS' BENEFITS.

DEFINITIONS.

Definitions.

Section 1. The following words, as used in this chapter, unless the context otherwise requires, shall have the following meaning:

"Commissioner", commissioner of veterans' services.

"Dependent", the wife, widow, child, mother or father of a veteran, as hereinafter defined, including any person who stood in the relationship of a parent to such veteran for the five years next preceding the commencement of his wartime service; provided, that no child of a veteran who is more than eighteen years of age shall be deemed a dependent, unless such child is attending school for the purpose of completing a regulation high school course or its equivalent, or unless he is mentally or physically unable to support himself and his disability existed before he attained that age.

"Veteran", any person, male or female, including a nurse, whose discharge or release from his last wartime service was other than dishonorable, or who died during such service under circumstances other than dishonorable, and who served in the army, navy, coast guard or marine corps of the United States, or who, while a citizen of this commonwealth, served in any of its military organizations mustered into the service of the United States, during:

1. The civil war between the nineteenth day of April, eighteen hundred and sixty-one, and the first day of September, eighteen hundred and sixty-five;

2. The Indian war service of the United States under the authority or by the approval of the United States or any state or territory in any Indian war or campaign, or in connection with or in the zone of any active Indian hostilities in any of the states or territories of the United States prior to January first, eighteen hundred and ninety-eight;

3. The Spanish war service, or during the period of the Philippine Insurrection or China Relief Expedition between February fifteenth, eighteen hundred and ninety-eight, and July fourth, nineteen hundred and two;

4. The Mexican border service, between June thirteenth, nineteen hundred and sixteen, and February third, nineteen hundred and seventeen;

G. L. (Ter. Ed.), 115, stricken out and new chapter 115, inserted.

5. World War I, between February third, nineteen hundred and seventeen, and November eleventh, nineteen hundred and eighteen;

6. World War II, between September sixteenth, nineteen hundred and forty, and the date of the termination of said war as determined by the congress of the United States, or by proclamation of the president.

"Veterans' agent", the person appointed under section three to disburse veterans' benefits in any city or town, or, if no such appointment has been made, the mayor of the city or the selectmen of the town disbursing such benefits; in Boston, the soldiers' relief commissioner.

"Veterans' benefits", the benefits provided by this chapter. When used in any statute, ordinance, by-law, rule or regulation, the phrases "state aid", "military aid", "soldiers' relief", "soldiers' burial", or any words or phrases connoting the same, shall mean veterans' benefits.

POWERS AND DUTIES OF THE COMMISSIONER.

Section 2. The commissioner shall assist and advise veterans' agents in the performance of their duties, investigate, so far as the interests of the commonwealth require, all payments of veterans' benefits, prepare papers and expedite the adjudication of claims, assist claimants in proving their cases, keep a record of work done in his office, and make an annual report.

Commissioner,
powers and
duties.

He shall establish the form of application to be used by applicants for veterans' benefits, may require the annexation thereto of official records of the veteran's induction, enlistment, service or discharge, or attested copies of the same, and shall from time to time provide each city and town with blank application forms prepared by him.

He shall decide all controversies between towns relative to the settlement of applicants for veterans' benefits, and, subject to the approval of the attorney general, his decisions shall be final. He shall further decide all controversies between such an applicant and a veterans' agent relative to the validity or amount of a claim for such benefits, and, upon the complaint of any person that the city or town in which such person resides is granting such benefits contrary to the provisions of this chapter, shall forthwith make an investigation of such complaint, and a determination of the amount of such benefits, if any, to be granted; a final appeal from such decision or determination may be taken by such claimant, veterans' agent or resident, within ten days after his receipt of notice of the same, to the governor and council.

Upon the written request of the mayor of a city or the selectmen of a town, he shall forthwith investigate any matter relating to the administration therein of the provisions of this chapter and the expenses of such an investigation shall be certified by him to the state treasurer who shall collect the same as an additional tax upon such city or town.

He may, with the consent of the governor, appoint, as occasion may require, one or more disinterested persons who shall investigate any claims against the commonwealth for veterans' benefits, examine any persons to or for whom such benefits have been paid, investigate the reasons for and all matters relating to the granting of such benefits, and shall report their findings to him. The reasonable expenses and compensation of any such disinterested person, if and when approved by the commissioner and allowed by the governor and council, shall be paid by the commonwealth.

He may authorize the payment by a veterans' agent of such sums as he deems necessary to provide special care in a hospital or at any other place for a veteran of the civil war, his wife or widow. On or before the tenth of November, in the year following any expenditure so authorized, the city or town making the same shall, if the person for whose care it was made had no settlement therein, be fully reimbursed therefor by the commonwealth; otherwise, such city or town shall be reimbursed by the commonwealth to the extent of one half of such expenditure.

He may, by a written demand signed by him or by his duly authorized agent, require the treasurer of a savings bank, institution for savings, national bank, trust company, co-operative bank, benefit association, insurance company or safe deposit company to inform him of the amount deposited in the corporation or association to the credit of a person named in such request who is a recipient of veterans' benefits under this chapter or an applicant therefor, and, in like manner, may require the employer of any such recipient or applicant to inform him of the amount of money paid by such employer to such recipient or applicant at any time during his employment by such employer, and any treasurer or employer who wilfully renders false information in reply to such demand, shall forfeit fifty dollars to the use of the commonwealth.

He shall be the agent and attorney of and for all departments of the commonwealth in all matters before the Veterans' Administration of the United States government involving any question of federal compensation or pension, and each state department, board and commission shall refer to him for appropriate action any appeal or application for review filed with it by any veteran or dependent under its care.

APPOINTMENT, POWERS AND DUTIES OF VETERANS' AGENTS.

Veterans'
agents.

Section 3. The mayor of each city except Boston shall, and the selectmen of each town may, annually in April, appoint a veterans' agent to act for him or them in the disbursement of veterans' benefits by such city or town. No almoner or member of a local board of public welfare, or officer performing similar duties, or any agent of any of them, shall be so appointed; but this section shall not be

construed as prohibiting selectmen who are also members of the local board of public welfare from acting in their capacity as selectmen to administer the provisions of this chapter.

Every veterans' agent shall, from time after the original allowance of any claim for veterans' benefits, make such investigations of the necessities and qualifications of the claimant as to prevent the payment of any such benefits contrary to any provision of this chapter.

Every such agent shall, within three days after his receipt of an application from or in behalf of a civil war veteran, his wife or widow, for special care, under the provisions of section two, notify the commissioner thereof upon blank forms approved by him; upon his refusal or unreasonable neglect to give such notice, such agent shall be punished by a fine of twenty-five dollars.

Upon the request of any veteran, the veterans' agent for the city or town in which he resides shall record his discharge or release papers, without charge, in books kept by him for that purpose. Said agent shall keep an index of papers so recorded, and copies thereof, if attested by him, shall be admissible in evidence to the same extent and with the same effect as the originals.

APPLICATIONS FOR VETERANS' BENEFITS.

Section 4. Every application for veterans' benefits shall be in writing, signed by the applicant under the penalties of perjury, and shall contain a statement of the name, age and residence of the applicant and his relationship to the veteran upon whose wartime service his application is based, such information as the commissioner may require relative to the commencement, duration, extent and termination of such veteran's wartime service, and such other representations, concerning the needs of the applicant and his reasons for applying for such benefits, as the commissioner may require. Every such application shall be filed with the veterans' agent for the city or town from which such benefits are sought, and such agent shall forthwith transmit the same to the commissioner.

Application
for benefits.

PAYMENT OF VETERANS' BENEFITS.

Section 5. Veterans' benefits shall be paid to a veteran or dependent by the city or town in which he has a settlement, or, if he has no settlement in any city or town within the commonwealth, by the city or town wherein he resides, provided that he has resided within the commonwealth continuously for three years next preceding the date of his application for such benefits. No city or town shall pay such benefits to an applicant who has no settlement therein until its veterans' agent has furnished to the commissioner such evidence as he may require that the applicant is entitled to

Payment
of benefits.

receive such benefits and has received from said commissioner an order fixing the amount and duration of the same and stating such other conditions as the commissioner may impose relative thereto. Said order may be revoked or modified by the commissioner at any time by giving written notice to said agent. Within three days after his receipt of an application for veterans' benefits from a person who has a settlement in some other city or town, the veterans' agent of the city or town of the applicant's residence shall notify the commissioner and the veterans' agent of the city or town of the applicant's settlement, who shall forthwith investigate the claim. If the city or town of settlement of such applicant unreasonably delays in granting such benefits to him after receipt of said notice, the town of the applicant's residence shall forthwith grant such benefits as the commissioner may order, and shall be reimbursed in full therefor by the town of the applicant's settlement. Any veterans' agent required to act on such order of the commissioner who refuses and neglects to comply therewith shall be punished by a fine of not less than twenty-five nor more than one hundred dollars.

Veterans' benefits shall not be subject to trustee process, and no assignment thereof shall be valid. Only such amounts shall be paid to or for any veteran or dependent as may be necessary to afford him sufficient relief or support. The applicant's receipt of income from any source in an amount insufficient for his support shall not bar him from receiving veterans' benefits to supplement the same, but such benefits shall not be paid to or for any person able to support himself, or who is in receipt of income from any source sufficient for his support. No back benefits shall be paid beyond the date of application.

No veterans' benefits shall be paid to or for any applicant if the necessity therefor is caused by his voluntary idleness or continuous vicious or intemperate habits, nor to or for any veteran who has been dishonorably discharged from any national soldiers' or sailors' home or from a soldiers' home in this commonwealth, unless the commissioner, after a hearing, shall otherwise determine, nor to or for any veteran who when he entered the federal service was a subject or citizen of a neutral country, had filed his intention to become a citizen of the United States, and afterward withdrew such intention under the act of congress approved on July ninth, nineteen hundred and eighteen, nor to or for any veteran designated upon his discharge as a conscientious objector, nor to or for any applicant convicted of a crime unless the veterans' agent and the commissioner otherwise determine, nor to or for any veteran who deserted from the service of the United States during time of war, nor to or for any dependent of such veteran, nor to or for any dependent of a living veteran whom said veteran wilfully refuses and neglects to support; but a dependent of a deceased veteran shall not be deemed ineligible to receive such benefits by

reason of any criminal or wilful misconduct on the part of the veteran at any time during his life. No veteran who is or shall be otherwise entitled to veterans' benefits shall lose his right thereto by reason of his absence from the commonwealth while receiving hospital treatment, under order of the United States Veterans' Administration, at any hospital located outside the commonwealth.

No veteran or dependent shall be compelled to receive veterans' benefits without his consent. He shall receive such benefits at home, or at such other place as the veterans' agent may deem proper, but he shall not be compelled to receive the same at an infirmary or public institution unless his physical or mental condition so requires, or, if a minor, unless his parents or guardians so elect, and, except in such case, such benefits shall be paid only to or for a person who lives separate from persons receiving support under chapter one hundred and seventeen or chapter one hundred and twenty-two. The veterans' agent or the commissioner may require a person to whom veterans' benefits are granted to pay over his United States pension or compensation to them to be expended for his relief before receiving such benefits.

Nothing in this chapter shall be deemed to prohibit the granting of veterans' benefits by a city or town in excess of the amount authorized or approved by the commissioner in any particular case, or the paying of such benefits as may be necessary to meet the emergency needs of any applicant prior to the filing of the original application with the commissioner as provided in section four if the veterans' agent making such grant or payment forthwith furnishes the commissioner with a written statement of his reasons for taking such action.

REIMBURSEMENT OF CITIES AND TOWNS FOR VETERANS' BENEFITS.

Section 6. The amounts expended by any city or town for veterans' benefits, the names of recipients thereof, the amounts paid to or for each applicant, the reasons for granting him such benefits, the names of the veterans on account of whose services the benefits were granted, the names, if any, of the companies, regiments, stations, organizations or vessels in which they respectively enlisted, or to which they were appointed, and in which they last served, and the relationship of each dependent to the veteran on account of whose service the benefits were granted, and such other details as the commissioner may require, shall, within the first ten days of the month following the month in which such expenditures were made, be certified to said commissioner on blank forms provided by him, in a manner approved by him, and under the penalties of perjury, by the veterans' agent and treasurer of such city or town. The commissioner shall examine such certificates, shall allow and endorse thereon such amounts as he finds have been paid and reported in accordance with the provisions of this chapter, and shall

Reimbursement
of cities
and towns.

transmit the certificates to the comptroller. The commissioner may decide upon the necessity of the amount paid in each case, and may allow any part thereof which he deems proper and lawful. Subject to such decision and allowance, one half of the amounts of veterans' benefits paid to applicants having settlements in the cities or towns making such payments, and all of the amounts of veterans' benefits paid to other applicants, but none of the expenses attending the payment of such benefits, shall be paid by the commonwealth to the several cities and towns on or before November tenth in the year after such expenditures.

APPOINTMENT, POWERS AND DUTIES OF BURIAL AGENTS.

Burial agents.

Section 7. Annually in April, the mayor of each city except Boston, and the selectmen of each town, and, in Boston, the soldiers' relief commissioner, shall designate a burial agent, who shall not be one of the local board of public welfare or be employed by said board, and who shall, under regulations established by the commissioner, cause properly to be interred the body of any veteran or adult dependent who dies without sufficient means to defray funeral expenses, and the body of any dependent child of a veteran if such veteran and his wife, or his widow, be without sufficient means to defray funeral expenses. If interment of any such body has taken place without the knowledge of the burial agent, application may be made to him within thirty days after the date of death, or after final interment, if the veteran dies in the service, and if upon investigation he shall find that the deceased was within the provisions of this section and the rules of the commissioner, he may certify the same as provided in section eight. The provisions of this section shall not apply to any person who at the time of entering the federal service was a subject or citizen of a neutral country, who had filed his intention to become a citizen of the United States and who afterward withdrew such intention under the act of congress approved July ninth, nineteen hundred and eighteen, nor to any person designated upon his discharge as a conscientious objector.

PAYMENT AND REIMBURSEMENT OF BURIAL EXPENSES.

Reimbursement of burial expenses.

Section 8. Amounts expended by the burial agent under the provisions of section seven shall not be greater than fifty dollars for the burial of a child under the age of thirteen, nor greater than one hundred dollars for the burial of any other person; two dollars of the amount expended for any single burial shall be paid to the burial agent as compensation for his services. No city or town shall be reimbursed under this section for any amount so expended for any single burial if the total expense of said burial, by whomsoever incurred, exceeded one hundred and fifty dollars for a child under the age of thirteen, or two hundred and fifty dollars for any other

person. The burial shall not be made in any cemetery or burial ground used exclusively for the burial of persons under the provisions of chapter one hundred and seventeen, or in any part of any cemetery or burial ground so used. Relatives of the deceased who are unable to bear the expense of burial may be allowed to conduct the funeral. The full amount so expended, the name of the deceased, and, if he was a veteran, the regiment, company, station, organization or vessel in which he served, the date of death, place of interment, and if the deceased was a wife or widow the name of her husband and date of her marriage, and if the deceased was a dependent child the name of the veteran, and such other details as the commissioner may require, shall be certified on oath to him, in such manner as he may approve, by the burial agent and the treasurer of the city or town expending the amount, within three months after the burial; the commissioner shall endorse upon the certificate his allowance of such amounts as he finds have been paid and reported according to the foregoing provisions, and shall transmit the certificate to the comptroller. One half the amounts legally paid and so allowed shall be paid by the commonwealth to the several cities and towns on or before November tenth in the year after the expenditures have been made.

CARE OF VETERANS' GRAVES.

Section 9. Annually in April, the mayor of every city and the selectmen of every town shall appoint a resident of such city or town, preferably a veteran, who shall cause every veteran's grave within such city or town to be suitably kept and cared for. If the cost of such care and maintenance is not paid by private persons, or by the trustees of the cemeteries where any such grave is situated, it shall be paid by the city or town; and cities and towns may appropriate money therefor. Money so appropriated may be expended directly by the city or town or paid over to the trustees or manager of any cemetery where any such grave is situated; but the sum so paid over in any year shall not exceed for each grave the sum charged for the annual care and maintenance of like lots in the same cemetery, or, if no such charge is made in that cemetery, it shall not exceed the sum charged in other cemeteries in the same city or town for like services.

Veterans' graves, care of.

SECTION 2. Nothing in this act shall be deemed to affect the provisions of chapter one hundred and fifteen of the General Laws, as in effect immediately prior to the effective date of section one hereof, relative to the reimbursement by the commonwealth of cities and towns for aid and relief given by them under said provisions as then in force.

Certain provisions of law not affected.

SECTION 3. Chapter forty of the General Laws is hereby amended by striking out section fifty-one, as most recently amended by chapter three hundred and forty of the acts of nineteen hundred and forty-five, and inserting in place

G. L. (Ter. Ed.), 40, § 51, etc., amended.

Names of
persons
assisted not
to be
published.

thereof the following section:— *Section 51.* No town or officer thereof shall publish in any report for general distribution to the public or to its citizens the names of persons assisted in any way by the board of public welfare of the town or publish or disclose in any manner to others than officers of any city, town or other governmental agency or the duly authorized agents of such officers the names of any persons residing in such town who received benefits under chapter one hundred and fifteen, except that a duly incorporated charitable corporation shall be informed, upon its request, as to whether or not any designated person has received such benefits. No department, board or commission, or agent thereof, of a town providing aid, guidance or advice solely to persons who are in active military or naval service during the time of war, or who were formerly in such service, or to the dependents of any such persons, shall furnish any records or information to any social service index, so called, or exchange information with any other agency, except as hereinbefore provided. Whoever violates any provision of this section shall be punished by a fine of not less than twenty-five nor more than five hundred dollars.

G. L. (Ter.
Ed.), 116,
§ 2, etc.,
amended.

Settlement
not acquired
while receiv-
ing public
relief.

SECTION 4. Section two of chapter one hundred and sixteen of the General Laws, as most recently amended by chapter three hundred and seventy-nine of the acts of nineteen hundred and forty-three, is hereby further amended by striking out, in the third line, the words "aid or relief", and inserting in place thereof the word:— benefits,— so as to read as follows:— *Section 2.* No person shall acquire a settlement, or be in the process of acquiring a settlement, while receiving public relief other than benefits received under chapter one hundred and fifteen, unless, within two years after receiving such relief, he tenders reimbursement of the cost thereof to the commonwealth or to the town furnishing it. No former patient of a state or county tuberculosis sanatorium or hospital, who is employed in such an institution, shall lose or gain a settlement or be in the process of losing or gaining a settlement while so employed. No person residing in an incorporated charitable institution the personal property of which is exempt from taxation, other than an employee of such institution, shall gain or lose a settlement nor be in the process of gaining or losing a settlement while residing therein.

G. L. (Ter.
Ed.), 116,
§ 4, amended.

Receipt of
institutional
aid by
veterans not
to affect
settlement.

SECTION 5. Said chapter one hundred and sixteen is hereby amended by striking out section four, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 4.* If a veteran or a dependent of a veteran eligible to receive veterans' benefits under chapter one hundred and fifteen receives benefits or treatment in any hospital or other institution, such benefits or treatment shall not have the effect of preventing or defeating the acquisition of a legal settlement.

G. L. (Ter.
Ed.), 116,
§ 5, etc.,
amended.

SECTION 6. Said chapter one hundred and sixteen is hereby further amended by striking out section five, as

amended by section fourteen of chapter four hundred and fifty-five of the acts of nineteen hundred and forty-three, and inserting in place thereof the following section:—

Section 5. Except as otherwise provided in this section, each settlement existing on August twelfth, nineteen hundred and eleven, shall continue in force until defeated under this chapter, but from and after said date failure for five consecutive years by a person, after reaching twenty-one years of age, to reside in a town where he had a settlement, shall defeat a settlement acquired under clause First of section one, or a settlement of a woman acquired under clause Second of said section one provided the settlement of her husband is defeated. The settlement of a minor acquired under either clause Third or Fourth of section one, except the settlement of a female minor who has married, shall be defeated with the settlement of the parents. The time during which a person shall be an inmate of any infirmary, jail, prison, or other public or state institution, within the commonwealth or in any manner under its care and direction, or that of an officer thereof, or of a soldiers' or sailors' home whether within or without the commonwealth, shall not be counted in computing the time either for acquiring or defeating a settlement, except as provided in section two. The settlement existing on August twelfth, nineteen hundred and sixteen, or any settlement subsequently acquired, of a veteran eligible to receive veterans' benefits under the provisions of chapter one hundred and fifteen, and the settlement of his wife, widow until she remarries, minor children, father or mother, qualified by his service to receive such benefits, shall not be defeated, except by failure to reside in the commonwealth for five consecutive years or by the acquisition of a new settlement.

Certain
existing
settlements
to continue.

SECTION 7. Section nine of chapter one hundred and eighteen of the General Laws, inserted by section one of chapter four hundred and thirteen of the acts of nineteen hundred and thirty-six, is hereby amended by striking out, in the second line, the word "aid", and inserting in place thereof the word:—benefits,—so as to read as follows:—

G. L. (Ter.
Ed.), 118,
§ 9, etc.,
amended.

Section 9. If an application for aid under this chapter is affected by the eligibility of the applicant to receive benefits under chapter one hundred and fifteen, the applicant shall be entitled to exercise such options and execute such waivers as may be necessary to receive the aid which he seeks.

Option.

SECTION 8. Section nine of chapter one hundred and eighteen A of the General Laws, as most recently amended by section three of chapter five hundred and forty-one of the acts of nineteen hundred and forty-five, is hereby further amended by inserting after the word "or" in the third line the words:—benefits under,—so as to read as follows:—

G. L. (Ter.
Ed.), 118A,
§ 9, etc.,
amended.

Section 9. If an application for assistance under this chapter is affected by the eligibility of the applicant to receive aid under chapter sixty-nine or benefits under chapter one hundred and fifteen, the applicant shall be entitled to

Options.

exercise such options and execute such waivers as may be necessary to receive the assistance or aid which he seeks.

SECTION 9. Chapter eleven of the acts of nineteen hundred and forty-two is hereby amended by striking out section one, as most recently amended by chapter three hundred and sixty-six of the acts of nineteen hundred and forty-five, and inserting in place thereof the following section:— *Section 1.* Any city or town, acting by its veterans' agent, as defined by section one of chapter one hundred and fifteen of the General Laws, may, during the continuance of the existing state of war between the United States and any foreign country and for six months thereafter, provide a war allowance for the dependent relatives of any person in the military or naval service of the United States during said state of war which, for the purposes of this act, shall be deemed to have begun on September sixteenth, nineteen hundred and forty; provided, that on said September sixteenth or, if after said date said person entered said service or was recalled thereto or was continued therein after the expiration of a prior enlistment, at the time of his entry into or recall to or continuance in said service to the credit of the commonwealth, said person was a resident of this commonwealth and had been a resident thereof for not less than one year. The dependent relatives of such a person who are eligible to receive such aid shall be the wife, children under eighteen years of age, or any child dependent by reason of physical or mental incapacity, or a brother or sister under eighteen years of age, or a dependent parent, or any one who stood in the relationship of a parent to such person for five years prior to said September sixteenth or, if after said date said person entered said service or was recalled thereto or was continued therein after the expiration of a prior enlistment, for five years prior to his entry into, recall to or continuance in said service to the credit of the commonwealth. The commissioner of veterans' services may authorize the payment of medical and hospital bills that have accrued during the illness of any dependent relative of such a person in case such dependent dies while said person is in said service. The allowance authorized by this section shall cease on the termination of the service by death or discharge.

SECTION 10. Section two of said chapter eleven, as amended by section two of chapter two hundred and eleven of the acts of nineteen hundred and forty-three, is hereby repealed.

SECTION 11. Said chapter eleven is hereby further amended by striking out section three, and inserting in place thereof the following section:— *Section 3.* The payments authorized by section one shall be made in the same manner in which, and shall be subject to the same limitations under which, benefits are paid to dependent relatives of veterans under the provisions of said chapter one hundred

and fifteen, so far as applicable and except as otherwise provided herein.

SECTION 12. Section five of said chapter eleven is hereby amended by striking out, in the first line, the words "state aid and pensions" and inserting in place thereof the words: — veterans' services, — so as to read as follows: — *Section 5.* The commissioner of veterans' services shall, from time to time, furnish each city and town with a sufficient number of blank forms for the use of applicants; shall decide all questions in dispute between applicants and the municipal authorities; shall investigate all payments of war allowance; shall have power to determine all incidental questions arising in connection therewith; and shall have the custody of the original papers relating to each application.

SECTION 13. Said chapter eleven is hereby further amended by striking out section six, and inserting in place thereof the following section: — *Section 6.* Applications for war allowance may be filed directly with the commissioner of veterans' services who in such case may request the officers authorized by law to furnish veterans' benefits of the city or town named in the application for a recommendation thereon, or with such officers who shall, within three days, forward the application together with a recommendation thereon, to the commissioner.

SECTION 14. Said chapter eleven is hereby further amended by striking out section seven, and inserting in place thereof the following section: — *Section 7.* Municipal officers making payments under this act shall make return of the same to the commissioner of veterans' services on blank forms to be furnished by him in the manner prescribed by the applicable provisions of said chapter one hundred and fifteen. Said commissioner shall prescribe rules as to the amount and the disbursement of allowance to the dependents of persons in the actual service of the United States, and reimbursement shall be made to the city or town from the state treasury for amounts actually expended and authorized by said commissioner; provided, that in no case shall more than fifty dollars be reimbursed on account of the total allowance rendered to all dependent relatives of any one such person in any one month. All sums expended by cities and towns in excess of the amount so authorized shall be borne by the respective city or town in which the recipient has a legal settlement; but, in the case of dependents of a person without legal settlement, the amount expended by cities and towns in excess of the limit prescribed, after determination by the commissioner of veterans' services as to how much allowance is necessary to afford reasonable support, shall be reimbursed by the commonwealth.

SECTION 15. Section nine of said chapter eleven is hereby repealed.

SECTION 16. Section ten of said chapter eleven is hereby amended by striking out, in the third and fourth lines, the words "state or military aid, soldiers' relief", and inserting

in place thereof the words: — veterans' benefits, — so as to read as follows: — *Section 10.* Whoever knowingly makes a false statement, oral or written, relating to a material fact in supporting a claim to war allowance, veterans' benefits or other benefit under any provision of this act shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year. Whoever, being entitled to any of the benefits of this act, fraudulently claims or receives pay for a period of time following the termination of his right to receive the same shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SECTION 17. Chapter seventy-three of the acts of nineteen hundred and forty-five is hereby amended by striking out section one, and inserting in place thereof the following section: — *Section 1.* Subject to the provisions of this act, any city or town, by a two thirds vote as defined in section one of chapter forty-four of the General Laws, and with the approval of the mayor or selectmen and of the emergency finance board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, may borrow in each of the years nineteen hundred and forty-five and nineteen hundred and forty-six inside its limit of indebtedness as prescribed by section ten of said chapter forty-four, for use only for meeting appropriations made or to be made for public welfare, including in such term old age assistance and aid to dependent children, and for veterans' benefits to an amount not more than one half of one per cent of the average of the assessors' valuation of its taxable property for the three preceding years, such valuation to be reduced and otherwise determined as provided in said section ten of said chapter forty-four, and may issue bonds or notes therefor, which shall bear on their face the words (name of city or town) Municipal Relief Loan, Act of Nineteen Hundred and Forty-five. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates, as said board shall fix, and, except as herein provided, shall be subject to said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

Loans may be issued hereunder in the year nineteen hundred and forty-five or nineteen hundred and forty-six, as the case may be, only by a city or town which in such year has appropriated to be raised by taxation, or appropriated from available funds for the purposes enumerated in the preceding paragraph, an amount not less than the aggregate of its expenditures made in the year preceding the year of issue for old age assistance and aid to dependent children to be met otherwise than from the proceeds of federal grants, and of its expenditures made in said preceding year for veterans' benefits, together with an amount equal to not less than seventy-five per cent of its expenditures made in said pre-

ceding year for all public welfare purposes other than old age assistance, aid to dependent children and veterans' benefits, all as determined by the board.

If a loan under authority of this act has been approved by said board during the year nineteen hundred and forty-five or nineteen hundred and forty-six for a city or town, the amount of any appropriation voted by such city or town for said year for public welfare, including in such term old age assistance, aid to dependent children and veterans' benefits, shall not be reduced during said year by appropriation, transfer or otherwise, except with the written approval of the board.

SECTION 18. Section twenty-two of chapter six of the General Laws, as most recently amended by section two of chapter three hundred and ninety-three of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 6, § 22, etc., amended.

When used in any statute, ordinance, by-law, rule or regulation, the phrases "commissioner of state aid and pensions" or "commissioner of veterans' aid and pensions", or any words connoting the same, shall mean the commissioner of veterans' services.

Definitions.

SECTION 19. Section eight of said chapter three hundred and ninety-three is hereby repealed.

SECTION 20. Upon the effective date of this act, the clerk of each city and town shall deliver to the veterans' agent of his city or town all records and other papers then in his custody relating to discharges or releases of veterans.

SECTION 21. Notwithstanding any provision of chapter one hundred and fifteen of the General Laws, inserted by section one of this act, any person who, upon the effective date hereof, is duly authorized to disburse state and military aid and soldiers' relief under the provisions of said chapter one hundred and fifteen as in effect immediately prior to said effective date, shall forthwith assume and perform the duties of a veteran's agent under the provisions of said chapter one hundred and fifteen as so inserted, until such an agent has been appointed and qualified under said provisions; provided, that if such person has unlimited tenure of office or is serving for a definite term as the person authorized to disburse such aid and relief, he shall be retained in office as such veterans' agent, until he is removed for cause or until the expiration of such term, as the case may be. Any appropriations made by the commonwealth, or by any city or town, for the purpose of providing such aid or relief shall, upon said effective date, be available for the disbursement of veterans' benefits, under the provisions of said chapter one hundred and fifteen as so inserted, to the same extent and with the same effect as though specifically appropriated therefor.

SECTION 22. This act shall take effect on January first, nineteen hundred and forty-seven.

Effective date.

Approved June 14, 1946

Chap. 585 AN ACT RELATIVE TO THE PROCURING OF PREMISES OUTSIDE A STATE-OWNED BUILDING FOR USE BY THE REGISTRY OF MOTOR VEHICLES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to furnish immediately authority for the procuring of certain premises for use by the registry of motor vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 8,
§ 10A, etc.,
amended.

Section ten A of chapter eight of the General Laws, as most recently amended by chapter seven hundred and six of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the following sentence:—

"Department"
defined.

For the purposes of this section, the word "department" shall include the division of motor vehicles, known as the registry of motor vehicles.

Approved June 14, 1946.

Chap. 586 AN ACT RELATIVE TO THE APPOINTMENT OF VETERANS TO CIVIL SERVICE EMPLOYMENTS UNDER THE APPRENTICE TRAINING PROVISIONS OF THE G. I. BILL OF RIGHTS, SO CALLED.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to enable veterans immediately to avail themselves of the benefits of the G. I. Bill of Rights, so called, relating to apprentice training, or "on the job" training, therefore it is hereby declared to be an emergency act, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The director of civil service may, upon request of an appointing authority, approve the employment, for a period not to exceed three years, of any veteran trainee authorized under the federal program designed to give apprentice training, or "on the job" training, to veterans in employments within the classified civil service. No such employment shall be approved unless the applicant is a veteran, as defined by section twenty-one of chapter thirty-one of the General Laws, nor unless the program under which the appointment is to be made and the period of training thereunder has been approved by the commissioner of education in the case of "on the job" training, or in the case of apprentice training has been approved by the commissioner of labor and industries, nor if any person is available on any eligible list for appointment to a position to which a veteran desires to be appointed hereunder, but any such appointment once approved shall not be terminated by reason of the later establishment of an eligible list of available persons.

No employment shall be approved if the salary therefor exceeds three thousand dollars per annum, nor for more than

two such veteran trainees under one appointing authority if thereby the total number of such trainees will exceed twenty per cent of the number of regular employees in like classes.

No person employed hereunder shall enter the permanent civil service during or upon completion of such training except in the manner provided by the civil service law and rules. Such trainees may be removed by the appointing officer within the period of training for cause or for inaptitude or unsatisfactory performance of assignments. This section shall not be deemed to restrict the rights of a veteran to the benefits under any federal program designed to give training, provided he holds office or employment within the classified civil service and no change in his title or status results thereby.

SECTION 2. This act shall remain in effect only until July first, nineteen hundred and forty-seven, but employments approved prior thereto may continue for the period approved hereunder.

Approved June 14, 1946.

AN ACT AUTHORIZING THE TOWN OF WILMINGTON TO USE PARK LAND FOR VETERANS' HOUSING PURPOSES AND TO LAY OUT AND SELL BUILDING LOTS FOR A NOMINAL CONSIDERATION TO CERTAIN VETERANS.

Chap. 587

Be it enacted, etc., as follows:

SECTION 1. The town of Wilmington is hereby authorized to use such part of park land called Town Park as is shown on a plan on file in the office of the town clerk, for veterans' housing.

SECTION 2. The town may appropriate money to be expended under the direction of the selectmen for the purpose of subdividing such land into parcels of adequate size for house lots, laying out ways, and installing public utilities as deemed necessary or advisable. The selectmen may sell lots so laid out at public or private sale to any person who served in the armed forces of the United States in World War II and who has been discharged or released from such service under conditions other than dishonorable. Such sale may be made for a nominal consideration after the grantee agrees to spend or cause to be spent in the construction or reconstruction of a building for dwelling purposes, within such period after the grant, not exceeding eighteen months, as may be fixed by the selectmen, such sum as shall be determined by the selectmen. Any sale made under the authority of this act shall be upon the express condition that if the agreed sum is not spent upon the construction or reconstruction within the time specified, title shall forthwith revert to the town.

SECTION 3. This act shall take full effect upon its acceptance, during the current year, by vote of the town at a special town meeting called for the purpose, but not otherwise

Approved June 14, 1946.

Chap.588 AN ACT PROVIDING FOR THE PAYMENT IN THE FISCAL YEAR
ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND FORTY-
SEVEN BY THE COMMONWEALTH TO ITS MUNICIPALITIES
OF A PORTION OF THE HIGHWAY FUND TO BE EXPENDED
BY THEM FOR LOCAL HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. There shall be paid, without further appropriation, from the Highway Fund to the cities and towns of the commonwealth the sum of five million dollars as early as may be after January first, nineteen hundred and forty-seven. The amounts to be paid the several cities and towns shall be as shown in the following schedule:—

BARNSTABLE COUNTY.

Barnstable	.	.	.	.	.	.	\$26,530	47
Bourne	.	.	.	.	.	.	9,903	86
Brewster	.	.	.	.	.	.	3,324	25
Chatham	.	.	.	.	.	.	6,329	08
Dennis	.	.	.	.	.	.	6,715	34
Eastham	.	.	.	.	.	.	3,045	82
Falmouth	.	.	.	.	.	.	21,154	61
Harwich	.	.	.	.	.	.	9,979	61
Mashpee	.	.	.	.	.	.	1,984	23
Orleans	.	.	.	.	.	.	4,404	29
Provincetown	.	.	.	.	.	.	4,728	54
Sandwich	.	.	.	.	.	.	5,141	63
Truro	.	.	.	.	.	.	2,512	66
Wellfleet	.	.	.	.	.	.	3,174	25
Yarmouth	.	.	.	.	.	.	7,111	70
Total	.	.	.	.	.	.	\$116,040	34

BERKSHIRE COUNTY.

Adams	9,972	32
Alford	1,094	74
Becket	3,545	28
Cheshire	2,928	97
Clarksburg	1,245	28
Dalton	6,090	13
Egremont	2,323	18
Florida	3,095	82
Great Barrington	9,030	69
Hancock	1,761	59
Hinsdale	2,384	23
Lanesborough	3,045	82
Lee	5,582	73
Lenox	5,154	29
Monterey	3,045	28
Mount Washington	1,116	85
New Ashford	627	90
New Marlborough	5,145	82
North Adams	17,404	08
Otis	2,478	43
Peru	2,044	74
Pittsfield	45,060	09
Richmond	2,167	38
Sandisfield	4,428	43
Savoy	3,005	79
Sheffield	5,001	61
Stockbridge	5,043	24

BERKSHIRE COUNTY — *Concluded.*

Tyringham	\$1,561 59
Washington	2,666 85
West Stockbridge	2,695 82
Williamstown	8,379 08
Windsor	3,561 59
Total	<hr/> \$172,689 64

BRISTOL COUNTY.

Acushnet	\$3,553 22
Attleboro	23,506 33
Berkley	2,684 23
Dartmouth	16,334 44
Dighton	4,442 17
Easton	6,449 57
Fairhaven	9,310 73
Fall River	78,384 12
Freetown	3,323 71
Mansfield	8,130 15
New Bedford	82,220 50
North Attleborough	10,177 04
Norton	4,368 99
Raynham	3,457 40
Rehoboth	7,241 63
Seekonk	6,378 00
Somerset	10,530 26
Swansea	5,904 29
Taunton	30,106 98
Westport	9,700 11
Total	<hr/> \$326,203 87

DUKES COUNTY.

Chilmark	\$1,167 38
Edgartown	4,737 98
Gay Head	366 85
Gosnold	878 97
Oak Bluffs	5,060 09
Tisbury	4,394 31
West Tisbury	1,117 38
Total	<hr/> \$17,722 96

ESSEX COUNTY.

Amesbury	\$9,758 58
Andover	17,112 45
Beverly	28,248 07
Boxford	3,390 02
Danvers	11,685 52
Essex	2,062 66
Georgetown	2,957 40
Gloucester	28,278 54
Groveland	2,473 71
Hamilton	5,355 37
Haverhill	38,659 34
Ipswich	7,745 92
Lawrence	63,872 21
Lynn	92,396 68
Lynnfield	4,571 67
Manchester	7,270 17
Marblehead	16,366 20

ESSEX COUNTY — *Concluded.*

Merrimac	\$2,757 40
Methuen	17,875 11
Middleton	2,863 20
Nahant	4,082 73
Newbury	3,341 09
Newburyport	10,294 96
North Andover	9,008 05
Peabody	20,507 83
Rockport	4,722 21
Rowley	2,562 66
Salem	38,893 14
Salisbury	3,258 48
Saugus	11,865 02
Swampscott	16,862 02
Topsfield	3,741 63
Wenham	3,481 65
West Newbury	2,745 82
Total	\$501,067 51

FRANKLIN COUNTY.

Ashfield	\$4,856 87
Bernardston	2,623 18
Buckland	4,041 63
Charlemont	3,034 23
Colrain	5,223 71
Conway	4,184 23
Deerfield	6,359 55
Erving	2,302 15
Gill	2,323 18
Greenfield	22,584 23
Hawley	2,605 79
Heath	2,922 64
Leverett	2,211 59
Leyden	2,144 74
Monroe	1,523 18
Montague	13,487 55
New Salem	3,544 74
Northfield	4,507 40
Orange	6,704 29
Rowe	2,428 43
Shelburne	4,553 22
Shutesbury	2,033 69
Sunderland	2,595 82
Warwick	3,033 69
Wendell	2,594 74
Whately	2,817 92
Total	\$117,242 39

HAMPDEN COUNTY.

Agawam	\$8,748 07
Blandford	4,245 28
Brimfield	3,662 12
Chester	4,217 92
Chicopee	31,107 08
East Longmeadow	5,866 95
Granville	4,896 35
Hampden	2,284 23
Holland	1,755 79
Holyoke	55,805 69
Longmeadow	13,467 17

HAMPDEN COUNTY — *Concluded.*

Ludlow	\$9,352 25
Monson	7,431 12
Montgomery	1,594 74
Palmer	13,297 00
Russell	3,381 65
Southwick	3,941 09
Springfield	173,346 25
Tolland	2,272 64
Wales	1,483 69
West Springfield	21,498 93
Westfield	19,270 39
Wilbraham	4,264 27
Total	\$397,190 67

HAMPSHIRE COUNTY.

Amherst	\$10,493 35
Belchertown	6,140 56
Chesterfield	3,339 49
Cummington	2,800 54
Easthampton	9,738 63
Goshen	1,683 69
Granby	3,023 18
Hadley	4,730 58
Hatfield	4,180 58
Huntington	2,662 12
Middlefield	2,244 74
Northampton	23,576 29
Pelham	1,428 43
Plainfield	2,644 74
South Hadley	8,820 17
Southampton	3,501 07
Ware	7,956 44
Westhampton	2,533 69
Williamsburg	2,995 82
Worthington	3,867 38
Total	\$108,361 49

MIDDLESEX COUNTY.

Acton	\$5,481 65
Arlington	38,409 98
Ashby	3,578 97
Ashland	3,730 58
Ayer	4,075 86
Bedford	3,591 63
Belmont	35,460 95
Billerica	9,480 69
Boxborough	1,383 69
Burlington	3,430 04
Cambridge	111,650 97
Carlisle	2,801 07
Chelmsford	11,524 36
Concord	10,950 75
Dracut	6,204 29
Dunstable	2,122 64
Everett	52,342 49
Frammingham	27,812 23
Gr ton	6,454 29
Holliston	4,875 86
Hopkinton	5,453 22
Hudson	7,206 97

MIDDLESEX COUNTY — *Concluded.*

Lexington	\$17,550 43
Lincoln	4,676 40
Littleton	3,930 58
Lowell	68,509 66
Malden	47,310 73
Marlborough	13,848 18
Maynard	6,090 13
Medford	52,624 57
Melrose	27,965 45
Natick	16,919 31
Newton	112,039 81
North Reading	3,463 73
Pepperell	5,319 53
Reading	14,389 27
Sherborn	4,097 43
Shirley	3,741 09
Somerville	73,327 79
Stoneham	12,230 79
Stow	3,006 87
Sudbury	5,625 86
Tewksbury	5,854 29
Townsend	5,068 99
Tyngsborough	2,945 82
Wakefield	16,771 46
Waltham	39,058 91
Watertown	36,289 92
Wayland	5,944 31
Westford	6,987 45
Weston	9,488 63
Wilmington	4,959 55
Winchester	23,665 88
Woburn	16,809 34
Total	<hr/> \$1,028,535 34

NANTUCKET COUNTY.

Nantucket	\$13,190 24
Total	<hr/> \$13,190 24

NORFOLK COUNTY.

Avon	\$2,107 40
Bellingham	4,163 73
Braintree	21,005 26
Brookline	96,958 48
Canton	7,786 48
Cohasset	7,681 76
Dedham	19,258 37
Dover	4,994 31
Foxborough	6,945 39
Franklin	10,352 79
Holbrook	3,342 17
Medfield	3,919 53
Medway	4,314 27
Millis	4,047 43
Milton	27,871 78
Needham	19,820 49
Norfolk	3,034 76
Norwood	19,982 08
Plainville	2,690 56
Quincy	88,469 21
Randolph	6,501 72

NORFOLK COUNTY — *Concluded.*

Sharon	\$6,989 06
Stoughton	8,420 17
Walpole	13,994 53
Wellesley	31,298 18
Westwood	6,929 61
Weymouth	36,232 51
Wrentham	4,759 55
Total	\$473,871 58

PLYMOUTH COUNTY.

Abington	\$5,472 21
Bridgewater	7,428 54
Brockton	51,106 01
Carver	5,002 68
Duxbury	8,201 72
East Bridgewater	5,515 88
Halifax	2,634 76
Hanover	4,900 03
Hanson	3,563 73
Hingham	13,971 89
Hull	12,548 71
Kingston	4,732 19
Lakeville	3,162 66
Marion	4,421 67
Marshfield	9,074 36
Mattapoisett	3,747 96
Middleborough	12,575 43
Norwell	3,830 04
Pembroke	4,447 43
Plymouth	21,794 10
Plympton	2,056 33
Rochester	3,434 76
Rockland	7,864 38
Scituate	11,796 03
Wareham	13,691 85
West Bridgewater	4,259 01
Whitman	6,941 20
Total	\$238,274 56

SUFFOLK COUNTY.

Boston	\$843,402 94
Chelsea	28,295 50
Revere	26,002 79
Winthrop	16,406 22
Total	\$914,107 45

WORCESTER COUNTY.

Ashburnham	\$4,879 51
Athol	13,046 03
Auburn	7,895 92
Barre	7,447 43
Berlin	2,728 97
Blackstone	3,357 94
Bolton	3,351 07
Boylston	2,623 18
Brookfield	2,606 87
Charlton	6,785 30
Clinton	9,171 78

WORCESTER COUNTY — *Concluded.*

Douglas	\$4,941 09
Dudley	5,447 96
East Brookfield	1,612 12
Fitchburg	38,608 80
Gardner	17,437 77
Grafton	6,304 29
Hardwick	5,251 61
Harvard	4,280 04
Holden	6,303 76
Hopedale	5,145 39
Hubbardston	4,256 33
Lancaster	4,707 94
Leicester	5,520 06
Leominster	21,007 30
Lunenburg	4,818 99
Mendon	2,734 76
Milford	12,709 23
Millbury	6,244 85
Millville	1,434 23
New Braintree	2,839 49
North Brookfield	5,035 84
Northborough	3,713 20
Northbridge	8,704 40
Oakham	2,561 59
Oxford	5,442 17
Paxton	2,190 02
Petersham	4,295 82
Phillipston	2,283 69
Princeton	4,428 97
Royalston	3,817 38
Rutland	4,334 76
Shrewsbury	9,220 71
Southborough	4,442 17
Southbridge	13,142 38
Spencer	7,854 29
Sterling	4,963 20
Sturbridge	4,941 09
Sutton	5,485 30
Templeton	5,136 37
Upton	3,934 76
Uxbridge	9,468 56
Warren	5,169 53
Webster	8,899 68
West Boylston	3,613 73
West Brookfield	3,545 82
Westborough	5,904 29
Westminster	5,068 46
Winchendon	9,377 47
Worcester	193,026 30
Total	\$575,501 96

RECAPITULATION.

Barnstable	\$116,040 34
Berkshire	172,689 64
Bristol	326,203 87
Dukes	17,722 96
Essex	501,067 51
Franklin	117,242 39
Hampden	397,190 67
Hampshire	108,361 49
Middlesex	1,028,535 34
Nantucket	13,190 24

RECAPITULATION — *Concluded.*

Norfolk	\$473,871 58
Plymouth	238,274 56
Suffolk	914,107 45
Worcester	575,501 96
Total	\$5,000,000 00

SECTION 2. The sums received by each city or town hereunder shall be expended only for local highway purposes, including construction, reconstruction, maintenance and repair of local roads, streets and highways other than state highways, and of surface drainage works, sidewalks, curbings and bridges, removal of snow, installation and maintenance of traffic lights, signs and signals and traffic policing. Cities and towns in the metropolitan parks district may apply, to the extent deemed necessary, sums received hereunder to the payment of their respective assessments in the year of receipt for the construction and maintenance of parkways and boulevards under the jurisdiction of the metropolitan district commission. Said sums received by each city or town hereunder shall, in the year of receipt, be included by the assessors thereof as an estimated receipt and deducted from the amount required to be raised by taxation to meet appropriations made in that year for highway purposes. Said sums may be expended by a city or town for the purposes aforesaid in addition to federal funds, if any, allocated to such city or town and available for such expenditure.

Approved June 14, 1946.

AN ACT REQUIRING THE DEPARTMENT OF THE STATE AUDITOR TO AUDIT THE BOOKS OF THE BOSTON ELEVATED RAILWAY COMPANY.

Chap. 589

Be it enacted, etc., as follows:

Section three of chapter three hundred and thirty-three of the acts of nineteen hundred and thirty-one is hereby amended by inserting after the word "public" in the twenty-ninth line the following sentence:— The department of the state auditor shall annually make a careful audit of all accounts of the trustees of the Boston Elevated Railway Company including all departments and offices under their operation, supervision and control, and as a part of said audit the department of the state auditor shall make such audit as it may deem advisable of the operations and expenses of the Boston Elevated Railway Company and shall each year make a report in writing to the governor, executive council and the general court of its findings together with any recommendations it may deem necessary to make.

Approved June 14, 1946.

Chap. 590 AN ACT ESTABLISHING THE COMPENSATION OF EXPERTS AND ARBITRATORS ENGAGED IN THE WORK OF SETTling ACTUAL OR THREATENED LABOR CONTROVERSIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 150, § 7, amended.

SECTION 1. Section seven of chapter one hundred and fifty of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the word "ten" in the nineteenth line and inserting in place thereof the word:—twenty,—so that the fifth sentence will read as follows:—Such experts shall receive from the commonwealth a sum not exceeding twenty dollars each for every day of actual service and their necessary traveling expenses.

Compensation of experts.

G. L. (Ter. Ed.), 150, § 9, amended.

SECTION 2. Section nine of said chapter one hundred and fifty, as so appearing, is hereby amended by striking out the word "three" in the eighteenth line and inserting in place thereof the word:—fifteen,—and by striking out the word "ten" in the nineteenth line and inserting in place thereof the word:—fifty,—so that the last sentence will read as follows:—Each of such arbitrators shall be entitled to receive from the treasury of the city or town where the controversy arose, with the approval in writing of the mayor of the city or the selectmen of the town, the sum of fifteen dollars for each day of actual service, not exceeding fifty dollars for any one arbitration. *Approved June 14, 1946.*

Compensation of arbitrators.

Chap. 591 AN ACT RELATIVE TO THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 6, § 1, amended.

SECTION 1. Section one of chapter six of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the first line, the word "ten" and inserting in place thereof the word:—twenty,—so as to read as follows:—*Section 1.* The governor shall receive a salary of twenty thousand dollars, and shall not be entitled to any fees or perquisites.

Salary of governor.

G. L. (Ter. Ed.), 6, § 2, amended.

SECTION 2. Section two of said chapter six, as so appearing, is hereby amended by striking out, in the first line, the word "four" and inserting in place thereof the word:—six,—so as to read as follows:—*Section 2.* The lieutenant governor shall receive a salary of six thousand dollars; but if the office of governor shall be vacant for a period of more than thirty days he shall, for the time during which he performs the duties of governor, receive at the rate allowed to the governor.

Salary of lieutenant governor.

G. L. (Ter. Ed.), 6, § 22, etc., amended.

SECTION 3. Section twenty-two of said chapter six, as most recently amended by section two of chapter three hundred and ninety-three of the acts of nineteen hundred and forty-five, is hereby further amended by striking out, in the fourth line, the word "fifty-five" and inserting in place thereof the word:—sixty-five,—so as to read as follows:—

Section 22. There shall be an officer to be known as the commissioner of veterans' services, who shall be appointed by the governor, with the advice and consent of the council, for three years, at such salary, not exceeding sixty-five hundred dollars, as the governor and council shall determine. He shall devote his whole time to the duties of his office. He shall be state agent for the settlement of pension, bounty, back pay, compensation and other claims of citizens of the commonwealth against the government of the United States, or of any state thereof, on account of military or naval service, and he shall assist and advise war veterans, and their dependents, heirs or legal representatives, with respect to the filing, prosecution and settlement of such claims.

Salary of commissioner of veterans' services.

SECTION 4. Section three of chapter seven of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fifth line, the word "seven" and inserting in place thereof the word: — eight, — and by striking out, in the sixth line, the word "sixty-five" and inserting in place thereof the word: — seventy-five, — so as to read as follows: — *Section 3.* The commission shall consist of four commissioners, one of whom shall annually be appointed for a term of four years by the governor, with the advice and consent of the council. The governor shall designate one of said commissioners as chairman. The chairman shall receive such salary not exceeding eight thousand dollars, and each of the other commissioners, such salary not exceeding seventy-five hundred dollars, as the governor and council may determine. Each commissioner shall devote his entire time to the duties of his office.

G. L. (Ter. Ed.), 7, § 3, amended.

Salary of commissioners on administration and finance.

SECTION 5. Section five of chapter eight of the General Laws, as amended by section one of chapter three hundred and eighty-seven of the acts of nineteen hundred and thirty-eight, is hereby further amended by striking out, in the third and fourth lines, the words "an annual salary of ten hundred and fifty dollars" and inserting in place thereof the following: — such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, — so as to read as follows: — *Section 5.* Scrub women and cleaners employed by the commonwealth shall each receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, payable weekly. Their work shall not, without proportionate payment for overtime, exceed thirty-three hours weekly and they shall be entitled to the same rights and privileges in respect to sick leave, holidays and vacations as other state employees.

G. L. (Ter. Ed.), 8, § 5, etc., amended.

Compensation of scrub women and cleaners regulated.

SECTION 6. Section one of chapter nine of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the third line, the word "seven" and inserting in place thereof the word: — eight, — so as to read as follows: — *Section 1.* There shall be a department of the state secretary under his supervision and control, organized as provided in this chapter. The state secretary

G. L. (Ter. Ed.), 9, § 1, amended.

Salary of state secretary.

shall receive a salary of eight thousand dollars. He shall make a quarterly return on oath to the governor and council of all fees of office received by him, and give to the state treasurer a bond, in a penal sum and with sureties approved by the governor and council, conditioned satisfactorily to account for all money received by him in his official capacity.

G. L. (Ter. Ed.), 10, § 1, amended.

Salary of state treasurer.

SECTION 7. Section one of chapter ten of the General Laws, as so appearing, is hereby amended by striking out, in the third line, the word "six" and inserting in place thereof the word:— seven,— so as to read as follows:— *Section 1.* There shall be a department of the state treasurer, under his supervision and control, organized as provided in this chapter. The state treasurer shall receive a salary of seven thousand dollars.

G. L. (Ter. Ed.), 11, § 1, amended.

Salary of state auditor.

SECTION 8. Section one of chapter eleven of the General Laws, as so appearing, is hereby amended by striking out, in the fourth line, the word "six" and inserting in place thereof the word:— seven,— so as to read as follows:— *Section 1.* There shall be a department to be known as the department of the state auditor under his supervision and control, organized as provided in this chapter. The state auditor shall receive a salary of seven thousand dollars and shall give to the state treasurer a bond for the faithful performance of his official duties in a penal sum and with sureties approved by the governor and council.

G. L. (Ter. Ed.), 11, § 5, amended.

Salary of deputy state auditor.

SECTION 9. Said chapter eleven is hereby amended by striking out section five, as so appearing, and inserting in place thereof the following:— *Section 5.* He may, subject to confirmation by the governor and council, appoint a deputy in his department at such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty.

G. L. (Ter. Ed.), 12, § 1, amended.

Salary of attorney general.

SECTION 10. Section one of chapter twelve of the General Laws, as so appearing, is hereby amended by striking out, in the third line, the word "eight" and inserting in place thereof the word:— ten,— so as to read as follows:— *Section 1.* There shall be a department of the attorney general, under his supervision and control, organized as provided in this chapter. The attorney general shall receive a salary of ten thousand dollars. He shall be a member of the bar of the commonwealth.

G. L. (Ter. Ed.), 13, § 2, etc., amended.

Salary of director of civil service, term, duties, etc.

SECTION 11. The second paragraph of section two of chapter thirteen of the General Laws, as appearing in section two of chapter two hundred and thirty-eight of the acts of nineteen hundred and thirty-nine, is hereby amended by striking out, in the thirteenth line, the word "sixty-five" and inserting in place thereof the word:— seventy-five,— so as to read as follows:—

The director of civil service shall be appointed by the commission. He shall be a person familiar with the principles and experienced in the methods and practice of personnel administration. The term of office of said director shall be five years, except that he may be removed, upon charges

after a public hearing, by a four fifths vote of the whole commission for proper cause or for substantial failure to administer the division in such a way as to develop a career service based on merit. In addition to the duties imposed upon him by this chapter and chapter thirty-one, he shall, at the request of the commission, attend any or all of its meetings, but shall have no vote. The said director shall receive such salary, not exceeding seventy-five hundred dollars, as the governor and council may determine.

SECTION 12. Said chapter thirteen is hereby further amended by striking out section two A, as amended by section six of chapter seven hundred and twenty-five of the acts of nineteen hundred and forty-five, and inserting in place thereof the following: — *Section 2A.* Upon the expiration of the term of office of a commissioner of the civil service commission, his successor shall be appointed by the governor, with the advice and consent of the council, for five years. The governor shall designate one of the members as chairman. Not more than three members of said commission shall be members of the same political party. The chairman shall receive twenty-five dollars a day, and each other commissioner shall receive twenty dollars a day, while attending meetings of the commission, or while performing any duties of his office required of him by the chairman or by this chapter or chapter thirty-one, but in any state fiscal year, not more than twenty-five hundred dollars shall be paid to the chairman and not more than two thousand dollars shall be paid to any other commissioner. The commissioners shall receive their traveling and other necessary expenses incurred in attending such meetings.

G. L. (Ter. Ed.), 13, § 2A, etc., amended.

Salaries of commissioners of civil service established.

SECTION 13. Section eight of said chapter thirteen, as amended by chapter three hundred and twenty-nine of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out, in the fourth line, the word "twenty-four" and inserting in place thereof the word: — thirty-four, — so as to read as follows: — *Section 8.* The division of registration shall be under the supervision of a director, to be known as the director of registration, at such salary, not exceeding thirty-four hundred dollars, as the governor and council may determine. Upon the expiration of the term of office of a director, his successor shall be appointed by the governor, with the advice and consent of the council, for not exceeding two years.

G. L. (Ter. Ed.), 13, § 8, etc., amended.

Salary of director of registration

SECTION 14. Said chapter thirteen is hereby further amended by striking out section thirty-one, as amended by section two of chapter four hundred and seven of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following: — *Section 31.* There shall be paid by the commonwealth to the chairman of the board the sum of fifteen hundred dollars, and to each of the other members of the board the sum of one thousand dollars, and their necessary traveling expenses actually expended in attending meetings thereof, and the incidental expenses of the board,

G. L. (Ter. Ed.), 13, § 31, etc., amended.

Salary of members of board of registration in embalming and funeral directing.

including any sum not exceeding five hundred dollars annually, expended for purposes of instruction and dissemination of new and useful knowledge among and for the benefit of registered embalmers and registered and licensed funeral directors; provided, that such salaries and expenses shall not be in excess of the receipts for registration and renewals thereof received by the state treasurer from the board.

G. L. (Ter. Ed.), 13, § 41, etc., amended.

SECTION 15. Section forty-one of said chapter thirteen, as amended by section one of chapter three hundred and thirty-seven of the acts of nineteen hundred and thirty-eight, is hereby further amended by striking out, in the fourth and fifth lines, the words "three thousand" and inserting in place thereof the words: — thirty-five hundred, — and by striking out, in the seventh line, the words "twenty-five hundred" and inserting in place thereof the words: — three thousand, — so as to read as follows: — *Section 41.* The members of the board shall devote their full time to the duties of their offices and they shall receive from the commonwealth the following salaries: — the chairman, thirty-five hundred dollars and his necessary expenses incurred in the discharge of his official duties, and each of the other two members three thousand dollars and his necessary expenses so incurred; provided, that the salaries and expenses of the members of the board, and the expenses of the board, shall not be in excess of the receipts for registration and from other sources received by the state treasurer from the board.

Salary and compensation of members of board of registration of barbers.

G. L. (Ter. Ed.), 13, § 44, etc., amended.

SECTION 16. Section forty-four of said chapter thirteen, inserted by section one of chapter four hundred and twenty-eight of the acts of nineteen hundred and thirty-five, is hereby amended by striking out, in the fourth line, the words "twenty-five hundred" and inserting in place thereof the words: — three thousand, — and by striking out, in the sixth line, the words "two thousand" and inserting in place thereof the words: — twenty-five hundred, — so as to read as follows: — *Section 44.* The members of the board shall devote their full time to the duties of their offices and they shall receive from the commonwealth the following salaries: — the secretary, three thousand dollars and his necessary expenses incurred in the discharge of his official duties, and each of the other two members, twenty-five hundred dollars and his necessary expenses so incurred; provided that the salaries and expenses of the members of the board, and the expenses of the board, shall not be in excess of the receipts for registration and from other sources received by the state treasurer from the board.

Salaries of members of board of registration of hair-dressers.

G. L. (Ter. Ed.), 14, § 2, etc., amended.

SECTION 17. Section two of chapter fourteen of the General Laws, as amended by chapter three hundred and sixteen of the acts of nineteen hundred and forty-three, is hereby further amended by striking out, in the fifth line, the word "eighty-five" and inserting in place thereof the word: — ninety-five, — so as to read as follows: — *Section 2.* Upon the expiration of the term of office of a commissioner, his successor shall be appointed for three years by the governor,

Salary of commissioner of corporations and taxation.

with the advice and consent of the council. The commissioner shall receive such salary, not exceeding ninety-five hundred dollars, as the governor and council determine and shall give to the state treasurer a bond for the faithful performance of his official duties in a penal sum and with sureties approved by the governor and council.

SECTION 18. Section two of chapter fifteen of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fourth line, the word "nine" and inserting in place thereof the word: — eleven, — so as to read as follows: — *Section 2.* Upon the expiration of the term of office of a commissioner, his successor shall be appointed by the governor, with the advice and consent of the council, for five years. The commissioner shall receive such salary, not exceeding eleven thousand dollars, as the governor and council may determine.

G. L. (Ter. Ed.), 15, § 2, amended.

Salary of commissioner of education.

SECTION 19. Section two of chapter sixteen of the General Laws, as so appearing, is hereby amended by striking out, in the seventh line, the word "seventy-five" and inserting in place thereof the word: — eighty-five, — so as to read as follows: — *Section 2.* There shall be a department of public works which shall be under the supervision and control of a commissioner of public works and two associate commissioners. Upon the expiration of the term of office of a commissioner or an associate commissioner, his successor shall be appointed for three years by the governor, with the advice and consent of the council. The commissioner shall receive such salary, not exceeding eighty-five hundred dollars, and the associate commissioners such salaries, not exceeding six thousand dollars, as the governor and council may determine. The commissioner and associate commissioners shall be allowed their actual traveling and other necessary expenses.

G. L. (Ter. Ed.), 16, § 2, amended.

Salary of commissioner and associate commissioners of public works.

SECTION 20. Section five A of said chapter sixteen, inserted by section one of chapter four hundred and seven of the acts of nineteen hundred and thirty-eight, is hereby amended by striking out, in the sixth to eighth lines, the words " , not exceeding six thousand dollars, as the commissioner may determine, subject to the approval of the governor," and inserting in place thereof the words: — as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, — so as to read as follows: — *Section 5A.* The commissioner shall organize in the department a division of waterways. The commissioner shall, with the approval of the governor, appoint a director to have charge of the work of the division and may, with like approval, remove him. The director shall receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty and shall devote his entire time to the work of the division.

G. L. (Ter. Ed.), 16, § 5A, etc., amended.

Salary of director of division of waterways.

SECTION 21. Section two of chapter seventeen of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the sixth line, the word

G. L. (Ter. Ed.), 17, § 2, amended.

Salary of
commissioner
of public
health.

"seventy-five" and inserting in place thereof the word:— eighty-five,— so as to read as follows:— *Section 2.* The commissioner shall be a physician skilled in sanitary science and experienced in public health administration. Upon the expiration of the term of office of a commissioner, his successor shall be appointed by the governor, with the advice and consent of the council, for five years. The commissioner shall receive a salary of eighty-five hundred dollars. He shall be the executive and administrative head of the department.

G. L. (Ter.
Ed.), 17, § 3,
etc.,
amended.

SECTION 22. Section three of said chapter seventeen, as amended by section one of chapter two hundred and thirty-three of the acts of nineteen hundred and thirty-nine, is hereby further amended by striking out, in the eleventh line, the word "ten" and inserting in place thereof the word:— twenty,— so as to read as follows:— *Section 3.* The public health council shall consist of the commissioner, ex officio, and six appointive members, of whom three shall be physicians. Upon the expiration of the term of office of an appointive member, his successor shall be appointed by the governor, with the advice and consent of the council, for a term of six years and until the qualification of his successor. The council shall meet at least once a month, and at such other times as it shall determine by its rules, or when requested by the commissioner or any four members. The appointive members shall receive twenty dollars a day while in conference, and their necessary traveling expenses while in the performance of their official duties.

G. L. (Ter.
Ed.), 18, § 2,
amended.

SECTION 23. Section two of chapter eighteen of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the sixth line, the word "seven" and inserting in place thereof the word:— eight,— so as to read as follows:— *Section 2.* The department shall be under the supervision and control of a commissioner of public welfare, who shall be its executive and administrative head, and an advisory board consisting of the commissioner, ex officio, and six appointive members, of whom two shall be women. The commissioner shall receive such salary, not exceeding eight thousand dollars, as the governor and council determine. Upon the expiration of his term of office, his successor shall be appointed for five years by the governor, with the advice and consent of the council.

Salary of
commissioner
of public
welfare.

G. L. (Ter.
Ed.), 19, § 2,
etc.,
amended.

SECTION 24. Chapter nineteen of the General Laws is hereby amended by striking out section two, as most recently amended by section two of chapter five hundred and eleven of the acts of nineteen hundred and thirty-nine, and inserting in place thereof the following:— *Section 2.* Upon the expiration of the term of office of the commissioner, his successor shall be appointed for six years by the governor, with the advice and consent of the council; and the commissioner shall receive such salary, not exceeding twelve thousand dollars, as the governor and council may determine. Upon the expiration of the term of office of an assist-

Salaries of
commissioner
and assistant
commissioners
of mental
diseases.

ant commissioner, his successor shall be appointed for four years by the commissioner, with the approval of the governor and council. Upon the expiration of the term of office of the second assistant commissioner, his successor shall be appointed for four years by the commissioner, with the approval of the governor and council. The assistant commissioner and the second assistant commissioner shall receive such salaries as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty and the commissioner, assistant commissioner and second assistant commissioner shall be reimbursed for expenses necessarily incurred in the performance of their duties, and shall devote their entire time to the affairs of the department.

SECTION 25. Section two of chapter twenty of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out in the fifth line, the word "six" and inserting in place thereof the word:— seven, — so as to read as follows:— *Section 2.* Upon the expiration of the term of office of a commissioner or a member of the advisory board, his successor shall be appointed by the governor, with the advice and consent of the council, for three years. The commissioner shall receive such salary, not exceeding seven thousand dollars, as the governor and council may determine. Each member of the advisory board shall receive ten dollars a day while in conference and his actual traveling expenses incurred in the performance of his official duties.

G. L. (Ter. Ed.), 20, § 2, amended.

Salary of commissioner of agriculture and members of advisory board.

SECTION 26. Section two of chapter twenty-one of the General Laws, as so appearing, is hereby amended by striking out, in the fourth line, the word "six" and inserting in place thereof the word:— seven, — so as to read as follows:— *Section 2.* Upon the expiration of the term of office of a commissioner, his successor shall be appointed for three years by the governor, with the advice and consent of the council. The commissioner shall receive such salary, not exceeding seven thousand dollars, as the governor and council determine.

G. L. (Ter. Ed.), 21, § 2, amended.

Salary of commissioner of conservation.

SECTION 27. Section four of said chapter twenty-one, as amended by section three of chapter four hundred and ninety-one of the acts of nineteen hundred and thirty-nine, is hereby further amended by striking out, in the sixth and seventh lines, the words ", not exceeding five thousand dollars, as the governor and council determine" and inserting in place thereof the words:— as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, — so as to read as follows:— *Section 4.* Upon the expiration of the term of office of a director of the division of forestry, his successor may be appointed for three years by the governor, with the advice and consent of the council. The director shall be qualified by training and experience to perform the duties of his office, and shall receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty.

G. L. (Ter. Ed.), 21, § 4, etc., amended.

Salary of director of the division of forestry.

G. L. (Ter.
Ed.), 21, § 6,
etc.,
amended.

Salary of
director of
the division
of fisheries
and game.

SECTION 28. Section six of said chapter twenty-one, as amended by section four of said chapter four hundred and ninety-one, is hereby further amended by striking out, in the seventh and eighth lines, the words “, not exceeding five thousand dollars as the governor and council determine” and inserting in place thereof the words:— as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, — so as to read as follows:— *Section 6.* Upon the expiration of the term of office of a director of the division of fisheries and game, his successor may be appointed for three years by the governor, with the advice and consent of the council. The director shall be qualified by training and experience to perform the duties of his office, and shall receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty. The director shall be allowed necessary traveling expenses for himself and his employees incurred in the discharge of duty.

G. L. (Ter.
Ed.), 21, § 7B,
etc.,
amended.

Salary of
director of
division of
wildlife
research and
management.

SECTION 29. Section seven B of said chapter twenty-one, inserted by section six of said chapter four hundred and ninety-one, is hereby amended by striking out, in the seventh to ninth lines, the words “, not exceeding five thousand dollars, as the governor and council determine” and inserting in place thereof the words:— as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, — so as to read as follows:— *Section 7B.* Upon the expiration of the term of office of a director of the division of wildlife research and management, his successor may be appointed for three years by the governor, with the advice and consent of the council. The director shall be qualified by training and experience to perform the duties of his office, and shall receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty. He shall be allowed necessary traveling expenses for himself and his employees incurred in the discharge of duty.

G. L. (Ter.
Ed.), 21, § 8A,
etc.,
amended.

Salary of
director of
marine
fisheries.

SECTION 30. Section eight A of said chapter twenty-one, as amended by section eight of said chapter four hundred and ninety-one, is hereby further amended by striking out, in the seventh and eighth lines, the words “, not exceeding five thousand dollars, as the governor and council determine” and inserting in place thereof the words:— as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty, — so as to read as follows:— *Section 8A.* Upon the expiration of the term of office of a director of the division of marine fisheries, his successor may be appointed for three years by the governor, with the advice and consent of the council. The director shall be qualified by training and experience to perform the duties of his office, and shall receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty. The director shall be allowed necessary traveling expenses for himself and his employees in the discharge of duty.

SECTION 31. Said chapter twenty-one is hereby further amended by striking out section eleven, as most recently amended by chapter three hundred and forty-three of the acts of nineteen hundred and forty-six, and inserting in place thereof the following: — *Section 11.* Upon the expiration of the term of office of a director of the division of parks and recreation, his successor may be appointed for three years by the governor, with the advice and consent of the council. The director shall be qualified by training and experience to perform the duties of his office and shall receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty. Except as otherwise provided, the director shall have charge of the development and maintenance of state parks, reservations and recreational areas under the control of the department of conservation, and shall perform such other similar duties as may be imposed upon him by the commissioner. Upon written request of any city or town that the division advise and consult with it relative to recreational activities the director may himself, or by one or more persons designated by him for the purpose, so consult with and advise such city or town.

G. L. (Ter. Ed.), 21, § 11, etc., amended.

Salary of director of division of parks and recreation.

SECTION 32. Section two of chapter twenty-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fourth line, the word "six" and inserting in place thereof the word: — seven, — so as to read as follows: — *Section 2.* Upon the expiration of the term of office of a commissioner, his successor shall be appointed by the governor, with the advice and consent of the council, for five years. The commissioner shall receive such salary, not exceeding seven thousand dollars, as the governor and council determine.

G. L. (Ter. Ed.), 22, § 2, amended.

Salary of commissioner of public safety.

SECTION 33. Said chapter twenty-two is hereby further amended by striking out section four, as so appearing, and inserting in place thereof the following: — *Section 4.* Upon the expiration of the term of office of a state fire marshal or a chief of inspections, his successor shall be appointed by the governor, with the advice and consent of the council, for three years. They shall each receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty.

G. L. (Ter. Ed.), 22, § 4, amended.

Salary of state fire marshal.

SECTION 34. Section two of chapter twenty-three of the General Laws, as amended by chapter three hundred and twenty-one of the acts of nineteen hundred and forty-three, is hereby further amended by striking out the second sentence and inserting in place thereof the following: — The commissioner shall receive such salary not exceeding nine thousand dollars, and the assistant commissioner and the associate commissioner such salaries not exceeding six thousand dollars, as the governor and council may determine, — so as to read as follows: — *Section 2.* Upon the expiration of the term of office of a commissioner, an assistant commissioner or an associate commissioner, his successor shall be appointed for three years by the governor, with

G. L. (Ter. Ed.), 23, § 2, etc., amended.

Salary of commissioner of labor and industries.

the advice and consent of the council. The commissioner shall receive such salary not exceeding nine thousand dollars, and the assistant commissioner and the associate commissioner such salaries not exceeding six thousand dollars, as the governor and council may determine.

G. L. (Ter. Ed.), 23, § 91, etc., amended.

SECTION 35. Section nine I of said chapter twenty-three is hereby amended by striking out paragraph (b), as amended by section seventeen of chapter five hundred and ninety-six of the acts of nineteen hundred and forty-one, and inserting in place thereof the following:—

Salary of director of division of employment security.

(b) The director shall receive a salary of eighty-five hundred dollars.

G. L. (Ter. Ed.), 23, § 9N, etc., amended.

SECTION 36. Paragraph (b) of section nine N of said chapter twenty-three, as amended by section five of chapter six hundred and eighty-five of the acts of nineteen hundred and forty-one, is hereby amended by striking out, in the sixteenth and seventeenth lines, the words "forty-five hundred" and inserting in place thereof the words:— five thousand, — so as to read as follows:—

Board of review, term, salary of members.

(b) There shall be in the division a board of review consisting of three persons to be appointed by the governor, with the advice and consent of the council. Of the members first appointed, one shall be appointed for a term of two years, one for a term of four years and one for a term of six years, and thereafter as the term of a member expires his successor shall be appointed for a term of six years. Vacancies shall be filled in like manner for the remainder of the unexpired term. All members shall serve until the qualification of their respective successors. The governor shall from time to time designate one of the members as chairman. All members shall devote their whole time in office hours to the duties of their office. Said offices and the incumbents thereof shall not be subject to chapter thirty-one and the rules and regulations made thereunder. The chairman of the board and each of the other members shall receive a salary of five thousand dollars. Members of the board shall receive their traveling and other necessary expenses incurred in the performance of their duties.

G. L. (Ter. Ed.), 24, § 2, amended.

SECTION 37. Section two of chapter twenty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the third line, the word "six" and inserting in place thereof the word:— seven, — and by striking out, in the fifth line, the word "sixty-five" and inserting in place thereof the word:— seventy-five, — so as to read as follows:— *Section 2.* The industrial accident board shall consist of seven members, one of whom shall be a woman, at such salaries, not exceeding seven thousand dollars each, as the governor and council determine, except that the chairman, who shall be designated by the governor, shall receive such salary, not exceeding seventy-five hundred dollars, as the governor and council determine. Upon the expiration of the term of office of a member, his successor shall be appointed for five years by the governor, with the

Salaries of members of industrial accident board.

advice and consent of the council. The members shall devote their whole time in business hours to the work of the board.

SECTION 38. Section two of chapter twenty-five of the General Laws, as so appearing, is hereby amended by striking out, in the sixth line, the word "eight" and inserting in place thereof the word:— nine, — and by striking out, in the seventh line, the word "seven" and inserting in place thereof the word:— eight, — so as to read as follows:—

Section 2. The department shall be under the supervision and control of a commission of five members, in this chapter called the commission. The governor shall, with the advice and consent of the council, annually appoint one commissioner for five years. The governor shall designate one of said commissioners as chairman. The chairman shall receive such salary, not exceeding nine thousand dollars, and each of the other commissioners such salary, not exceeding eight thousand dollars, as the governor and council determine.

G. L. (Ter. Ed.), 25, § 2, amended.

Salaries of commissioners of public utilities.

SECTION 39. Section two of chapter twenty-six of the General Laws, as amended by chapter three hundred and fifteen of the acts of nineteen hundred and forty-three, is hereby further amended by striking out, in the sixth line, the word "seventy-five" and inserting in place thereof the word:— eighty-five, — so as to read as follows:— *Section 2.* Upon the expiration of the term of office of a commissioner of banks, his successor shall be appointed for three years by the governor, with the advice and consent of the council. The commissioner shall receive such salary, not exceeding eighty-five hundred dollars, as the governor and council determine. He shall not be an officer of or directly or indirectly interested in any national bank or in any bank, trust company, corporation, business or occupation that requires his official supervision, and he shall not engage in any other business. He shall give bond with sureties in the sum of twenty thousand dollars, to be approved by the state treasurer, for the faithful performance of his duties.

G. L. (Ter. Ed.), 26, § 2, etc., amended.

Commissioner of banks, term, salary.

SECTION 40. Section six of said chapter twenty-six, as amended by chapter three hundred and seventeen of the acts of nineteen hundred and forty-three, is hereby further amended by striking out, in the fifth and sixth lines, the word "seventy-five" and inserting in place thereof the word:— eighty-five, — so as to read as follows:— *Section 6.* Upon the expiration of the term of office of a commissioner of insurance, his successor shall be appointed for three years by the governor, with the advice and consent of the council. The commissioner shall receive such salary, not exceeding eighty-five hundred dollars, as the governor and council determine. He shall give bond with sureties in the sum of ten thousand dollars, to be approved by the state treasurer, for the faithful performance of his duties.

G. L. (Ter. Ed.), 26, § 6, etc., amended.

Commissioner of insurance, term, salary.

SECTION 41. Section one of chapter twenty-seven of the General Laws, as appearing in the Tercentenary Edition, is

G. L. (Ter. Ed.), 27, § 1, amended.

Commissioner
of correction,
term, salary.

hereby amended by striking out, in the fourth line, the word "six" and inserting in place thereof the word:— eight, — so as to read as follows:— *Section 1.* There shall be a department of correction, under the supervision and control of a commissioner of correction. The commissioner shall be the executive and administrative head of the department, and shall receive such salary, not exceeding eight thousand dollars, as the governor and council may determine. Upon the expiration of the term of office of a commissioner, his successor shall be appointed for three years by the governor, with the advice and consent of the council.

G. L. (Ter.
Ed.), 28, § 2,
amended.

SECTION 42. Section two of chapter twenty-eight of the General Laws, as so appearing, is hereby amended by striking out, in the second line, the words "six thousand" and inserting in place thereof the words:— ninety-five hundred, — and by striking out, in the third line, the words "twenty-five hundred" and inserting in place thereof the words:— three thousand, — so as to read as follows:— *Section 2.* The commissioner shall receive such salary, not exceeding ninety-five hundred dollars, and each associate commissioner such salary, not exceeding three thousand dollars, as the governor and council determine.

Salaries of
commissioner
and associate
commissioners
of metro-
politan dis-
trict commis-
sion.

G. L. (Ter.
Ed.), 33, § 69,
etc.,
amended.

SECTION 43. Subdivision (c) of section sixty-nine of chapter thirty-three of the General Laws, as amended by section one of chapter five hundred and seventy-seven of the acts of nineteen hundred and forty-one, is hereby further amended by striking out, in the thirteenth line, the word "four" and inserting in place thereof the word:— five, — so as to read as follows:—

State quarter-
master,
salary, duties,
etc.

(c) There shall be a state quartermaster appointed or detailed by the commander-in-chief who, under the direction of the adjutant general, shall, except as otherwise provided in this chapter and in chapter three hundred and forty-four of the acts of nineteen hundred and thirty-six, have the care and control of all land and buildings held for military purposes, of the soldiers' burial lot and monument at Dedham, and of all other military property of the commonwealth except such as is by law expressly intrusted to the keeping of other officers, departments, boards or commissions. Except when ordered on duty under sections eleven, seventeen, eighteen, nineteen or one hundred and five, he shall receive a salary of five thousand dollars. He shall give bond to the commonwealth in the penal sum of twenty thousand dollars with surety or sureties approved by the governor and council, conditioned faithfully to perform the duties of his office as specified hereinbefore or as may be prescribed by the commander-in-chief.

G. L. (Ter.
Ed.), 125,
§ 22,
amended.

Salaries of
warden and
deputy
wardens.

SECTION 44. Chapter one hundred and twenty-five of the General Laws is hereby amended by striking out section twenty-two, as appearing in the Tercentenary Edition, and inserting in place thereof the following:— *Section 22.* The warden and the deputy warden and each other officer or employee of the prison shall receive such salary as may be

fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty. No other perquisite, reward or emolument shall be allowed to or received by any of the said officers, except that the warden and deputy warden shall be allowed maintenance for themselves and their families.

SECTION 45. Said chapter one hundred and twenty-five is hereby further amended by striking out section twenty-nine, as so appearing, and inserting in place thereof the following: — *Section 29.* The superintendent and the deputy superintendent and each other officer or employee of the reformatory shall receive such salary as may be fixed under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty. No other perquisite, reward or emolument shall be allowed to or received by any of the said officers, except that the superintendent and deputy superintendent shall be allowed maintenance for themselves and their families.

G. L. (Ter. Ed.), 125, § 29, amended.

Salaries of superintendent and deputy superintendent of the Massachusetts reformatory.

SECTION 46. Section twenty-six of chapter one hundred and forty-nine of the General Laws is hereby amended by striking out the paragraph amended by chapter four hundred and thirteen of the acts of nineteen hundred and thirty-eight and inserting in place thereof the following: —

G. L. (Ter. Ed.), 149, § 26, amended.

Permanent and temporary laborers employed by the state department of public works and by the metropolitan district commission shall receive such salary or compensation as may be fixed under and in accordance with sections forty-five to fifty inclusive of chapter thirty.

Compensation of certain laborers.

SECTION 46A. Section sixty-eight of chapter two hundred and twenty-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the second line, the word "six" and inserting in place thereof the word: — seven, — so as to read as follows: —

G. L. (Ter. Ed.), 221, § 68, amended.

Section 68. The reporter shall receive from the commonwealth a salary of seven thousand dollars, and shall be allowed by the commonwealth for clerical and incidental expenses of his office such sums as shall be appropriated therefor. These amounts shall be in full compensation for his services and said expenses. All fees received by him for copies of opinions, rescripts and other papers shall be paid by him quarterly to the commonwealth, with a detailed statement thereof.

Salary, etc., of reporter of decisions.

SECTION 47. Section one of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six is hereby amended by striking out the first paragraph and inserting in place thereof the following: — A special metropolitan district water supply commission is hereby established, consisting of the commissioner of the metropolitan district commission as chairman and of two associate commissioners to be appointed by the governor with the advice and consent of the council, said commission to be hereinafter referred to as the commission. The associate commissioners shall serve for terms of five years, or until their successors

1926, 375, § 1, amended.

Special metropolitan district water supply commission, terms, salaries.

are appointed and qualified. The governor may with like advice and consent remove any associate commissioner, and fill for any unexpired term vacancies which may occur in the associate commissionerships. The associate commissioners shall each receive a salary of five thousand dollars a year. The commissioner may hire such offices and other quarters as may be needed for the conduct of its work. The commission may appoint a chief engineer, and with the advice and consent of the governor and council may fix his salary.

Temporary provisions.

SECTION 48. No salary, wage or compensation to be fixed, as provided by this act, under and in accordance with sections forty-five to fifty, inclusive, of chapter thirty of the General Laws, shall be established in an amount less than the salary, wage or compensation for such office, position or work as existing on April first in the current year, including any temporary increase thereof under the provisions of chapter four hundred and sixteen of the acts of nineteen hundred and forty-five.

SECTION 49. The salary of each person in the service of the commonwealth and paid from the treasury thereof, but not including any member of the general court, which is established by statute and is not otherwise increased by the provisions of this act or of any other act enacted during the current year, is hereby increased by an amount equal to twenty per cent thereof; provided, that such increase shall not for full-time service be less than three hundred dollars per annum nor more than four hundred and twenty dollars per annum; and provided, further, that said minimum or said maximum, in the case of any such person serving on a part-time basis, shall be adjusted by the division of personnel and standardization to an amount which bears the same ratio to said minimum or maximum as his service bears to full-time service and, in the case of any such person paid in part by the commonwealth, shall be adjusted to an amount which bears the same ratio to said minimum or maximum as the amount of salary paid by the commonwealth bears to his total salary. Said increase of salary shall be effective only for the period beginning July first, nineteen hundred and forty-six, and ending June thirtieth, nineteen hundred and forty-seven. Every officer and employee entering the service of the commonwealth during said period in an office or position the salary for which is subject to the provisions of this section shall be entitled to receive the compensation of his office or position as increased by this section. The word "salary", as used in this section, shall include maintenance allowances the value of which is fixed in the manner provided by the rules and regulations established under sections forty-five to fifty, inclusive, of chapter thirty of the General Laws. The word "salary", as so used, shall also include compensation payable through the state treasury from moneys paid into the state treasury by the federal government. No increase in salary made by this section shall, for any purpose of chapter thirty-two of

the General Laws, be deemed or construed to be a portion of the regular compensation of any officer or employee now or hereafter in the service of the commonwealth.

SECTION 50. In the case of any person whose salary is increased by this act and such increase does not become effective on July first in the current year, his salary is hereby increased by the amount of four hundred and twenty dollars, which increase of salary shall be effective for the period beginning on said July first and ending on the day immediately preceding the day on which the increase of his salary otherwise provided for by this act becomes effective.

SECTION 51. Sections one and two of this act shall take effect on the first Thursday of January in the year nineteen hundred and forty-seven; sections six, seven, eight and ten thereof shall take effect on the third Wednesday of January in said year; and the balance thereof shall take effect on the first day of July in the current year.

Effective
date.

Approved June 14, 1946.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, July 10, 1946.

HONORABLE FREDERIC W. COOK, *Secretary of the Commonwealth,
State House, Boston, Massachusetts.*

SIR: — I, Maurice J. Tobin, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures", do declare that in my opinion the immediate preservation of the public convenience requires that the law passed on the 14th day of June, entitled, "AN ACT RELATIVE TO THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE COMMONWEALTH", should take effect forthwith and that it is an emergency law and that the facts constituting the emergency are as follows:

In order to effectuate the intention of the Legislature that certain of these increases in salary become effective on July 1, 1946, of this year, it is necessary that this legislation become effective immediately.

Very truly yours,

MAURICE J. TOBIN,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 10, 1946.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and forty minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter five hundred and ninety-one of the acts of nineteen hundred and forty-six.

F. W. COOK,
Secretary of the Commonwealth.

Chap. 592 AN ACT TO FACILITATE AND ENCOURAGE THE PROVIDING OF HOMES DURING THE PRESENT EMERGENCY.

Emergency
preamble.

Whereas, An acute shortage of housing exists in the Commonwealth and on account of such shortage many veterans of World War II and other inhabitants of the Commonwealth are unable to obtain homes for themselves and their families and this shortage is likely to continue for a substantial period of time; and inability to obtain adequate shelter will cause suffering and disease among such veterans and their families and other inhabitants unless such shortage is relieved at once, therefore this act is declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that at the conclusion of active hostilities in World War II almost all of the dwelling places in this commonwealth were already being used to the extent of their capacity; that on the conclusion of the war many thousand inhabitants of this commonwealth were honorably discharged from military and naval service and returned to this commonwealth expecting to resume their accustomed life here but found no suitable dwelling places available for them; that on this account serious overcrowding has occurred which is detrimental to the comfort, safety and health of such discharged soldiers and sailors and their families and of the public generally; that on account of a nation-wide shortage of building materials it has been found impossible to alleviate this shortage within a reasonable time through the ordinary operations of private enterprise; that the government of the United States has established priorities for building materials to be used for constructing, altering or remodelling dwelling places; that there are many suitable sites for such dwelling places which cannot lawfully be used for such purpose and many large single family dwelling houses and other large buildings which cannot lawfully be remodelled for such purposes, because of the zoning ordinances and by-laws and building codes, ordinances and by-laws applicable to the districts in which such sites and buildings are located; that there are many instances in which a literal enforcement of the provisions of such codes, ordinances or by-laws would involve substantial hardship to one or more veterans and their families and other inhabitants and where substantial relief might be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of such ordinance or by-law; and that a waiving of some of the literal requirements of such codes, ordinances and by-laws in appropriate cases during the present emergency will be for the good and welfare of the commonwealth.

SECTION 2. During the period of the present emergency, which, unless changed by the general court, shall be deemed

to extend for a period of two years from the effective date of this act, a board of appeals of a city or town referred to or appointed under section thirty of chapter forty of the General Laws may grant a variance with respect to a particular parcel of land from the terms of an ordinance or by-law adopted under section twenty-five of said chapter forty under the following circumstances and conditions:

(1) That the application relates to the alteration of a building containing a dwelling place or dwelling places.

(2) That the variance relates to the alteration of an existing building so that it may accommodate more families, and that the cubical content of the building and its width, length and height shall not be substantially increased, and its exterior shall be changed as little as possible.

(3) That the variance may be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of such ordinance or by-law.

(4) That the variance be granted without discrimination among applicants and as far as possible in accordance with the principles set forth in the fourth paragraph of section twenty-five of said chapter forty.

SECTION 3. There shall be a board to be known as the emergency housing commission, to serve during the present emergency, as defined in section two, under the governor and council and to be subject to such supervision as the governor and council shall deem necessary and proper, consisting of five members, namely: — a chairman to be appointed by the governor with the advice and consent of the council; the chairman of the state board of housing; the chairman of the state planning board; the commissioner of labor and industries; and the commissioner of public safety. Upon appeal by any person aggrieved by the refusal of a board of appeals of a city or town referred to or appointed under section thirty of chapter forty of the General Laws, or similar provisions of a special law, or any board of appeals under a local building ordinance or by-law or a building code, to reverse any order or decision of any inspector of buildings or other administrative official having similar duties, to decide in favor of the applicant on any matter upon which such board of appeals is required to pass, or to effect any variance in the application of any such ordinance, by-law or code, the emergency housing commission by an affirmative vote of four of its members may reverse such order or decision, decide in favor of such applicant or effect any such variance. The determination of the emergency housing commission under this section shall be final.

SECTION 4. The emergency housing commission shall have such powers as may be necessary to permit it to expedite the construction of dwelling places of all types in the commonwealth, with special priority to the needs of veterans, and to insure an equitable flow into the commonwealth of such building materials as may be in short supply; provided, that

said commission shall not have the power to alter, amend or repeal any law of the commonwealth relative to the construction or alteration of buildings or other structures, except building codes, so called. The emergency housing commission may appoint a secretary, who may be one of its members, and may, subject to appropriation, employ such officers, agents and employees as may be necessary to assist it in the performance of its functions and shall determine their salaries. The members of the commission shall be reimbursed for expenses incurred in the performance of their duties. There shall be paid to such members of the commission who do not receive an annual salary from the commonwealth the sum of twenty dollars for every day spent in the performance of their duties and twenty-five dollars in the case of the chairman; provided, that the sum paid hereunder to any member other than the chairman shall not in any year exceed twenty-five hundred dollars and in the case of the chairman three thousand dollars. Such compensation shall be in addition to any other compensation received from the commonwealth by any member of the commission; provided, that no compensation shall be paid for services under this act on any day with respect to which such member is compensated by the commonwealth for services performed under any other provision of law.

SECTION 5. Section two of this act shall become operative in any city or town upon the acceptance thereof in a city by the mayor or city manager, with the approval of the city council, and in a town by the selectmen.

Approved June 14, 1946.

Chap. 593 AN ACT RELATIVE TO THE SALARIES OF COURT OFFICERS IN ATTENDANCE UPON THE SUPREME JUDICIAL COURT IN SUFFOLK COUNTY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 221, § 73, etc., amended.

SECTION 1. Section seventy-three of chapter two hundred and twenty-one of the General Laws, as most recently amended by section one of chapter four hundred and twenty-seven of the acts of the current year, is hereby further amended by striking out, in the second sentence, the words "five hundred and twenty-eight" and inserting in place thereof the words:—seven hundred and fifty,—so as to read as follows:—*Section 73.* Each officer in attendance upon the superior court in Suffolk county who is appointed under section seventy shall receive from said county in full for all services performed by him such salary as shall be fixed by the justices of said court, with the approval of the justices of the supreme judicial court. Each officer in attendance upon the supreme judicial court in said county shall receive in full for all services performed by him such salary as shall be fixed by the justices of the supreme judicial court, of which salary seven hundred and fifty dollars shall be paid by the commonwealth and the remainder by said county.

Salaries of certain court officers.

The officer in attendance upon the land court in said county shall receive in full for all services performed by him such salary as shall be fixed by the judges of said court, with the approval of the justices of the supreme judicial court. Each officer in attendance upon the probate court in said county shall receive in full for all services performed by him such salary as shall be fixed by the judges of said court, with the approval of the justices of the supreme judicial court.

SECTION 2. This act shall take effect upon its passage. Effective date.
Approved June 14, 1946.

AN ACT RELATIVE TO FILLING A VACANCY IN THE OFFICE OF COMMISSIONERS TO APPORTION SUFFOLK COUNTY INTO REPRESENTATIVE DISTRICTS. Chap. 594

Be it enacted, etc., as follows:

Section one hundred and sixty-one of chapter fifty-four of the General Laws, as most recently amended by chapter two hundred and sixty-five of the acts of nineteen hundred and thirty-four, is hereby further amended by adding at the end the following paragraph: —

G. L. (Ter. Ed.), 54, § 161, etc., amended.

Upon a vacancy in the office of commissioner to apportion Suffolk county into representative districts, if the member whose office became vacant was a member of either of the two leading political parties, the chairman of the state committee of the party of which he was a member shall appoint a successor, who shall be a resident of the district and a member of the same political party as the person who held the office prior to such vacancy; otherwise the remaining commissioners shall fill the vacancy, by the appointment of a person who shall be a resident of the district wherein the vacancy exists.

Commissioners to apportion Suffolk county into representative districts.

Approved June 14, 1946.

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO MAKE PROVISION FOR THE CONTINUED DEVELOPMENT OF THE GENERAL EDWARD LAWRENCE LOGAN AIRPORT AT EAST BOSTON. Chap. 595

Be it enacted, etc., as follows:

SECTION 1. The state department of public works, in this act called the department, is hereby authorized and directed to further enlarge, extend, improve and develop the General Edward Lawrence Logan Airport and for that purpose is given the same authority and powers which were conferred upon it by chapter six hundred and ninety-five of the acts of nineteen hundred and forty-one, by chapter five hundred and twenty-eight of the acts of nineteen hundred and forty-three and by chapter three hundred and eighty-three of the acts of nineteen hundred and forty-five.

SECTION 2. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered

or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding, in the aggregate, the sum of six million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, General Edward Lawrence Logan Airport Improvement Loan, and shall be on the serial payment plan for such maximum term of years, not exceeding five years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix, but such bonds shall be payable not earlier than July first, nineteen hundred and forty-seven, nor later than June thirtieth, nineteen hundred and fifty-two.

Approved June 14, 1946.

Chap. 596 AN ACT AUGMENTING THE BOARD OF TRUSTEES OF MASSACHUSETTS STATE COLLEGE FOR THE ESTABLISHMENT AND OPERATION OF AN EDUCATIONAL INSTITUTION OF COLLEGE GRADE FOR VETERANS OF WORLD WAR II.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide certain educational facilities for veterans without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The board of trustees of the Massachusetts State College established by section twenty of chapter fifteen of the General Laws is hereby increased by the addition of nine trustees to be appointed by the governor, with the advice and consent of the council, from the presidents of colleges and universities within the commonwealth. The trustees appointed under this section shall serve for a term of five years.

SECTION 2. The augmented board of trustees provided for by this act shall have responsibility only for the establishment, operation and termination of a branch of the Massachusetts State College for the purpose of providing instruction of collegiate grade to veterans of World War II who resided in this commonwealth at the time of their entry into the service.

SECTION 3. The said augmented board of trustees is hereby granted, for the purposes set out in section two of this act, all powers conferred upon the trustees appointed under the provisions of said section twenty of said chapter fifteen. The powers granted hereby shall also include the power to

take such action as they may deem necessary to acquire property, personnel and equipment for the establishment and operation of the said branch of the Massachusetts State College.

SECTION 4. Nothing in this act shall be deemed to impair the powers now possessed by the trustees appointed under said section twenty of said chapter fifteen with reference to the Massachusetts State College.

SECTION 5. No person shall be matriculated after September first, nineteen hundred and forty-seven at the branch of the Massachusetts State College established by this act.

Approved June 14, 1946.

AN ACT RELATIVE TO THE TAKING EFFECT IN THE CITY OF BOSTON OF A CERTAIN LAW REGULATING THE HOURS OF DUTY OF PERMANENT MEMBERS OF FIRE DEPARTMENTS IN CERTAIN CITIES AND TOWNS. Chap.597

Be it enacted, etc., as follows:

Section one of chapter four hundred and thirty-six of the acts of the current year is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — If a majority of the votes cast on said question is in the affirmative, said section fifty-eight B of said chapter forty-eight shall take effect in said city ninety days thereafter.

Approved June 14, 1946.

AN ACT VALIDATING THE ACTION OF THE PLYMOUTH COUNTY AUTHORITIES IN PURCHASING CERTAIN FUEL AND PAYING FOR THE SAME IN THE ABSENCE OF A CONTRACT. Chap.598

Be it enacted, etc., as follows:

The action of the county commissioners of Plymouth county in purchasing certain fuel between April first and June tenth in the current year in the absence of a contract required by section seventeen of chapter thirty-four of the General Laws, and the action of the county treasurer of said county in making payments for said fuel, is hereby validated.

Approved June 14, 1946.

AN ACT MAKING MANDATORY THE ESTABLISHMENT OF MUNICIPAL AND DISTRICT DEPARTMENTS OF VETERANS' SERVICES, UNDER DIRECTORS OF VETERANS' SERVICES, AND RELATIVE TO THE POWERS AND DUTIES OF SUCH DEPARTMENTS AND DIRECTORS. Chap.599

Whereas, The deferred operation of this act would in part defeat its purpose, which is to make immediately available to returning Massachusetts veterans of World War II and to other veterans, advice and counsel to enable such veterans to obtain without delay the employment, vocational, Emergency preamble.

educational, hospitalization, pension and other benefits to which they may be entitled, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 115, new sections 10 to 14, added.
Local departments of veterans' services.

SECTION 1. Chapter one hundred and fifteen of the General Laws is hereby amended by adding at the end under the caption LOCAL DEPARTMENTS OF VETERANS' SERVICES, the five following sections:— *Section 10.* The mayors of cities and the selectmen of towns, other than cities and towns which become a part of a district as authorized by the second paragraph of this section, shall cause to be established and maintained in their respective cities and towns a department for the purpose of furnishing such information, advice and assistance to veterans as may be necessary to enable them to procure the benefits to which they are or may be entitled relative to employment, vocational or other educational opportunities, hospitalization, medical care, pensions and other veterans' benefits. Each department so established and maintained shall be known as the department of veterans' services, and the officer in charge thereof shall be known as the director of veterans' services. Such director and any assistant or deputy director appointed under this section or section eleven shall be a veteran and shall be appointed in a city by the mayor, with the approval of the city council, and in a town by the selectmen.

Two or more adjoining towns each having a population of less than five thousand, or, with the written consent of the commissioner in each instance, two or more adjoining towns of which only one has a population of five thousand or over, or two or more adjoining municipalities only one of which is a city and only one of which has a population of five thousand or over, may, in a city by vote of the city council thereof, and in a town by vote of the selectmen thereof, form a district for the purposes set forth in the first paragraph of this section, including the appointment and compensation of a director of veterans' services, for the enforcement therein of such purposes and of such other provisions of law as it may be his duty to enforce. Any constituent city or town by vote may withdraw from the district at the end of any fiscal year of such city or town if such withdrawal is voted in the manner aforesaid not less than thirty days prior to the end of such fiscal year and notice of such vote is filed with the other municipalities comprising the district.

The director of veterans' services of each district established under authority of the preceding paragraph shall, under the direction of the district board referred to in section eleven, perform the duties of his office in each of the municipalities comprising his district.

The treasurer of one of the municipalities comprising such district, designated by the district board thereof, shall be treasurer of the district and shall give to the district a bond,

with a surety company authorized to transact business in the commonwealth as surety, for the faithful performance of his duties as treasurer of the district in such sum and upon such conditions as said district board may require. The district treasurer shall disburse the money received under the provisions of section eleven upon warrants approved by the district board.

Section 11. In every district established under authority of section ten there shall be a board composed of the mayor of such city, if any, as may be included in the district and the chairman of the board of selectmen of each of the towns, included in said district, which board shall appoint, fix the compensation of, and may remove the director of veterans' services of said district; may appoint, fix the salary of, and remove, a deputy or assistant to such director, if in the opinion of said board such an officer is necessary; may determine the expenses of said director and deputy or assistant and of the department under his charge and apportion the same among the several municipalities comprising such district on the basis of the taxable valuation of said municipalities as last established by the general court as a basis of apportionment for state and county taxes; and shall promptly thereafter notify the treasurers of said municipalities of such apportionment. Every city or town treasurer so notified shall, annually in December, certify the amount of such apportionment to the board of assessors of his municipality, who shall include such amount in the tax levy of the following year.

Director of
veterans'
services, ap-
pointment, etc.

Upon order of the district board the city or town treasurer of each of the constituent members of the district shall from time to time pay to the district treasurer a sum or sums not exceeding, in the aggregate, the amount certified by the board as its respective share of the costs and expenses of the district. In case a city or town becomes a member of a district at a time when it is too late to permit an assessment as provided by sections ten to fourteen, inclusive, such city or town may appropriate and pay to the district treasurer an amount representing its proportionate share of the expense of the district for the period ending December thirty-first in the year in which such city or town becomes a member of the district.

Section 12. In each city, and in each town not included in a district established under section ten, and in each such district, there shall be in the department of veterans' services an unpaid advisory board to be appointed, in cities by the mayor, in towns by the board of selectmen, and in districts by the district board. Said advisory board shall render such assistance to the director of veterans' services of the municipality or district relative to the provisions of this chapter, except as to sections one to nine, inclusive, as said director may request. The commissioner is hereby authorized and directed to formulate and publish rules and regulations establishing in a general manner the types of persons,

Local advisory
boards in
departments
of veterans'
services.

with respect to their occupations, professions and special skills, who may be appointed to such unpaid advisory boards. Every such advisory board shall consist of not less than five nor more than fifteen residents of the city, town or district, as the case may be.

Duties of
department.

Section 13. Said departments shall acquire and have on hand copies of current booklets and other printed matter pertaining to the statutory rights of veterans provided under state and federal laws. They may call at any time upon any department, board, division or commission of the commonwealth for such assistance as may be necessary in carrying out their functions. They shall also work in close co-ordination with existing federal agencies established for the aid of such veterans, and they shall enlist the support of hospitals within their respective communities or districts for carrying out the purposes of sections ten to fourteen, inclusive.

Local depart-
ments to be
under direc-
tion of com-
missioner.

Section 14. Departments established and maintained under sections ten to fourteen, inclusive, shall be under the general direction of the commissioner, and they shall be physically located independently of, and separate and apart from, any other public or private agency, board, bureau, social agency or society, except a department or agency disbursing aid or relief or veterans' benefits under this chapter.

Temporary
provisions.

SECTION 2. Any provision of section ten or section eleven of chapter one hundred and fifteen of the General Laws, inserted by section one of this act, to the contrary notwithstanding, the person in a city authorized by the city charter or by ordinance or vote of the city council, and in a town authorized by vote of the selectmen, to disburse aid or relief or veterans' benefits under said chapter shall, upon the effective date of this act, become the director of veterans' services for such city or town and shall serve as such until other provision is made under authority of said section ten; provided, that, if such person on said effective date is not a veteran, as such term is defined by section one of said chapter one hundred and fifteen of the General Laws, and has unlimited tenure of office or is serving for a definite term, he may be retained in office as such director until he is removed for cause, or until the expiration of such term, as the case may be; except that if a person was appointed as director of veterans' services in any city, town or district, under the provisions of chapter seven hundred and twenty-three of the acts of nineteen hundred and forty-five, as amended, such person shall be deemed to have been appointed under the provisions of sections ten to fourteen, inclusive, of said chapter one hundred and fifteen and any appropriations made under the provisions of said chapter shall be available and may be expended for the purposes of said sections ten to fourteen, inclusive. Such person shall have all of the powers and duties and shall be subject to all of the provisions of said sections ten to fourteen, inclusive.

SECTION 3. Chapter seven hundred and twenty-three of the acts of nineteen hundred and forty-five, as amended, is hereby repealed. Repeal.
Approved June 14, 1946.

AN ACT ESTABLISHING THE SALARIES OF THE JUSTICE AND CLERK OF THE BOSTON JUVENILE COURT. Chap. 600

Be it enacted, etc., as follows:

Section seventy-six of chapter two hundred and eighteen of the General Laws, as most recently amended by chapter five hundred and seventy-eight of the acts of the current year, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—The salary of the justice of the Boston juvenile court shall be six thousand dollars, and that of the clerk of said court an amount equal to seventy-five per cent of the salary of the justice,—so as to read as follows:—*Section 76.* The salary of the justice of the Boston juvenile court shall be six thousand dollars, and that of the clerk of said court an amount equal to seventy-five per cent of the salary of the justice. The salary of the justice of the East Boston district court shall be fifty-six hundred dollars, the salary of the justice of the municipal court of the South Boston district shall be fifty-six hundred dollars, the salary of the justice of the municipal court of the Brighton district shall be fifty-six hundred dollars and the salary of the justice of the municipal court of the Charlestown district shall be fifty-six hundred dollars. The salaries of the justices of the following district courts shall severally be as follows: First district court of Barnstable, twenty-seven hundred dollars; second district court of Essex, twenty-four hundred dollars; second district court of Plymouth, thirty-two hundred dollars; third district court of Plymouth, twenty-five hundred dollars; fourth district court of Plymouth, twenty-five hundred dollars; district court of Peabody, three thousand dollars; district court of eastern Hampshire, twenty-one hundred dollars; district court of Newburyport, three thousand dollars. G. L. (Ter. Ed.), 218, § 76, etc., amended.

Salary of justice and clerk of Boston juvenile court established.
Approved June 14, 1946.

AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL CERTAIN PROPERTY OF THE COMMONWEALTH IN THE CITY OF WORCESTER. Chap. 601

Be it enacted, etc., as follows:

Subject to the approval of the governor and council, the commissioner of mental health in the name and on behalf of the commonwealth is hereby authorized to sell to private interests at such price as he may finally determine but not less than the assessed valuation thereof, a triangular piece of land at the intersection of Belmont and Shrewsbury streets, opposite the main entrance to the Worcester state

hospital, which is the property of the commonwealth; the sale to be subject to such conditions and restrictions for the benefit of the Worcester state hospital as may seem advisable to the commissioner.

Approved June 14, 1946.

Chap. 602 AN ACT CHANGING THE NAME OF THE BOARD OF WATER COMMISSIONERS OF THE TOWN OF DARTMOUTH, ABOLISHING THE BOARD OF SEWER COMMISSIONERS OF SAID TOWN, AND AUTHORIZING SAID FIRST-MENTIONED BOARD TO EXERCISE AND PERFORM THE POWERS AND DUTIES OF SEWER COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. The board of water commissioners of the town of Dartmouth shall, in addition to the powers and duties heretofore vested by law in it, exercise and perform in said town all the powers and duties now vested by law in the board of sewer commissioners of said town; and said board of water commissioners shall hereafter be known as the board of water and sewer commissioners.

SECTION 2. The board of sewer commissioners of said town is hereby abolished; but nothing in this act shall be deemed to affect the rights, powers and duties of any employee of said board in office on the effective date of this act, and said persons shall hereafter serve under the board of water and sewer commissioners hereby established.

SECTION 3. This act shall take full effect upon its acceptance by the town at a regular or special town meeting called for the purpose.

Approved June 14, 1946.

Chap. 603 AN ACT AMENDING THE LAW RELATIVE TO CONTRIBUTORY RETIREMENT OF PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 32, § 3, amended.

SECTION 1. Chapter thirty-two of the General Laws is hereby amended by striking out subdivision (5) of section three and inserting in place thereof the following subdivision:—

Retirement of certain public employees.

(5) Any member of any system who had rendered service as an employee of any governmental unit other than that by which he is presently employed, for any previous period during which the first governmental unit had no contributory retirement system, or in the same governmental unit in a position which was not subject to the retirement system of which he is now a member, or during which he had inchoate rights to a non-contributory pension, or during which he was specifically excluded from membership, under the provisions of this chapter, or under corresponding provisions of earlier laws or of any other general or special law, may, either before January first, nineteen hundred and fifty-one, or within five years after becoming a member or being reinstated as such, and before the date any retirement allowance be-

comes effective for him, pay into the annuity savings fund of the system in one sum, or in instalments, upon such terms and conditions as the board may prescribe, an amount equal to that which would have been withheld as regular deductions from his regular compensation for such previous period or most recent portion thereof as he may elect, in no event aggregating more than twenty years, had such service been rendered in the governmental unit by which he is presently employed and in a position subject to the provisions of sections one to twenty-eight inclusive, or to corresponding provisions of earlier laws. In addition to the payment of such sum or instalments thereof, such member shall also pay into the annuity savings fund an amount of interest such that at the completion of such payments the value of his accumulated payments, together with regular interest thereon, actually made on account of such previous intra-state service shall equal the value of his accumulated regular deductions which would have resulted if regular deductions had been made when regular compensation for such service was actually received. Upon the completion of such payments such member shall receive the same credit for such period of his previous intra-state service or portion thereof elected as would have been allowed if such service had been rendered by him in the governmental unit by which he is presently employed. Such member shall furnish the board with such information as it shall require to determine the amount to be paid and the credit to be allowed under this subdivision.

SECTION 2. Paragraph (a) of subdivision (3) of section six of said chapter thirty-two is hereby amended by adding at the end of the first sentence the following: — , and, in any case involving a retirement under section seven, the board shall further state whether or not the disability is such as might be the natural and proximate result of the accident or hazard undergone on account of which such retirement is claimed under said section, — so as to read as follows: —

G. L. (Ter. Ed.), 32, § 6, amended.

(a) No member shall be retired for disability under the provisions of this section or of section seven unless he has first been examined by a medical panel and unless a majority of the physicians on such medical panel shall, after such examination and after a review of all of the pertinent facts in the case, certify to the board in writing that such member is mentally or physically incapacitated for further duty and that such incapacity is likely to be permanent, and, in any case involving a retirement under section seven, the board shall further state whether or not the disability is such as might be the natural and proximate result of the accident or hazard undergone on account of which such retirement is claimed under said section. Such medical panel shall consist of three registered physicians who shall be selected as follows for the purpose of examining the member whose retirement or re-examination is under consideration: one physician who shall be designated by the state surgeon and who shall serve as chairman of the medical panel, a second physician who

Medical examination prior to retirement in certain cases.

shall be designated by the board except as otherwise provided for in paragraph (b) of this subdivision, and a third physician who shall be designated by such member.

G. L. (Ter.
Ed.), 32, § 28,
etc., amended.

Certain
provision
repealed.

SECTION 3. Subdivision (2) of section twenty-eight of said chapter thirty-two, as amended, is hereby further amended by adding at the end the following paragraph: —

(h) In the case of any such city or town, any provision of any such special law requiring that the appropriation for the accumulated liability contribution to the pension fund shall be three per cent greater in amount each year is hereby repealed, and the amount to be appropriated for such purpose shall be such sum as is approved by the commissioner of insurance in each year.

Special
provisions
applying to
employees of
Suffolk county.

SECTION 4. Any elected official of the county of Suffolk who becomes a member of the Boston retirement system under the provisions of sections one to twenty-eight, inclusive, of chapter thirty-two of the General Laws, on or before December thirty-first, nineteen hundred and forty-six shall receive prior service credit for all service rendered by him to said county to October first, nineteen hundred and forty-six. His retirement allowance shall be computed as if he had become a member of the Boston contributory retirement system established under the provisions of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two and had made contributions to the annuity savings fund of said system; provided, that that portion of a retirement allowance on account of such service shall not exceed one half of his regular compensation.

Approved June 14, 1946.

Chap. 604 AN ACT RELIEVING PERSONS WHO SERVED IN THE EXISTING WAR AS ENLISTED PERSONNEL FROM THE PAYMENT OF INCOME TAXES UPON THEIR PAY FOR SUCH SERVICE, AND PROVIDING THAT ANY PERSON SERVING AS A COMMISSIONED OFFICER IN SAID WAR SHALL HAVE THREE YEARS TO PAY ANY INCOME TAX ACCRUING DURING THE PERIOD OF SUCH SERVICE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provisions of general or special law, no person who served in the armed forces of the United States during the existing states of war, in any grade below that of a commissioned officer, shall be required to file any income tax return or pay any income tax upon his pay for such service. Any tax paid by any such person upon any such pay shall be refunded by the commissioner of corporations and taxation upon request therefor. Any person who so served in any such grade shall be allowed three years from the termination of his service, or of the war, whichever date is later, to pay any taxes owed by him on any other income, notwithstanding any such contrary provisions, and may file any return of such other income at

any time not later than six months after the termination of his service.

SECTION 2. Any person who served in said armed forces as a commissioned officer during said existing states of war may file any income tax return not later than six months after the termination of his service and may pay any income tax for the period of such service for which he is liable in three equal yearly instalments after the termination of his service, or after the termination of the war, whichever date is later.

SECTION 3. The words "armed forces", as used in this act, shall mean the following:— United States Army, Army of the United States, United States Navy, United States Naval Reserve, United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard, United States Coast Guard Reserve, Women's Army Corps, Women's Auxiliary — Navy, Women's Auxiliary — United States Marine Corps, Women's Auxiliary — United States Coast Guard, Army Nurse Corps and Navy Nurse Corps.

SECTION 4. Nothing herein provided shall be construed as a restriction of the right or discretion of the commissioner of corporations and taxation to abate or adjust the tax liability and interest thereon of any person as provided by law.

Approved June 14, 1946.

AN ACT RELATIVE TO THE RETIREMENT OF STATE DETECTIVES AND INSPECTORS IN THE DIVISION OF STATE POLICE OF THE DEPARTMENT OF PUBLIC SAFETY.

Chap. 605

Be it enacted, etc., as follows:

Chapter thirty-two of the General Laws is hereby amended by inserting after section twenty-eight A, as amended, the following section:— *Section 28B.* Any state detective or inspector of the division of state police in the department of public safety appointed under section six of chapter twenty-two who has performed service for the commonwealth for not less than twenty years of paid creditable service or has performed service for the commonwealth and any municipality thereof, in the aggregate, for not less than twenty years of paid creditable service, shall, at his own request, be retired after attaining the age of fifty-five. The retirement allowance under this section shall be the same as that provided for in paragraph (c) of subdivision (3) of section twenty-six. For the purposes of this section, such service in any such municipality shall be deemed to be service in said division of state police.

G. L. (Ter. Ed.), 32, new section 28B, added.
State detectives and inspectors, retirement of.

Approved June 14, 1946.

Chap. 606 AN ACT TO PROVIDE FOR A SPECIAL CAPITAL OUTLAY PROGRAM FOR THE COMMONWEALTH.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide funds immediately for a special capital outlay program for the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for a special program of construction, reconstruction, alteration and improvement of various state institutions and properties, and for the purchase of certain property, the sums set forth in section two of this act, for the several purposes and subject to the conditions specified in said section two, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof. If funds shall be made available for any of said purposes by the United States government the amounts made available by said section two for such purposes shall be reduced by the amounts of such federal funds made available therefor.

SECTION 2.

Service of the Soldiers' Home in Massachusetts.

Item		
8404-30	For the construction of a soldiers' home in the city of Holyoke, according to plans authorized by chapter seven hundred and thirty-two of the acts of nineteen hundred and forty-five and provided for by chapter four hundred and seventy-five of the acts of the current year, including cost of furniture and equipment	\$1,600,000
8404-31	For the additional cost of the installation of a power plant provided for by item 0430-22 of section two of chapter four hundred and four of the acts of nineteen hundred and forty-five, as amended by section two of chapter seven hundred and thirty-two of the acts of nineteen hundred and forty-five	103,000

Massachusetts State College.

8413-01	For the construction of a new building at the Waltham Field Station as provided for by chapter five hundred and twenty-nine of the acts of the current year, including cost of furniture and equipment	\$125,000
8413-02	For the construction of a physics building, authorized by chapter five hundred of the acts of the current year, including the cost of furniture and equipment	450,000
8413-03	For the construction of a disease control laboratory authorized by said chapter five hundred, including the furniture and equipment	475,000

Department of Mental Health.

Item		
8417-01	For the additional cost of construction of a building at the Monson State Hospital, provided for by item 1722-28 of section two of chapter four hundred and four of the acts of nineteen hundred and forty-five	\$120,000

Department of Correction.

8418-01	For the construction of a wall for the new state prison at Bridgewater as provided in plans prepared under the provisions of chapter seven hundred and thirty-two of the acts of nineteen hundred and forty-five	\$200,000
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Department of Public Welfare.

8419-01	For the restoration of a burned building at the Massachusetts Hospital School at Canton	\$150,000
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Massachusetts Department of Health.

8420-01	For the construction of a new building at the Pondville Hospital at Norfolk as provided for by chapter three hundred and seventy of the acts of the current year	\$200,000
8420-02	For the construction of a chronic disease hospital in the Stoneham section of Middlesex Fells, according to plans made under the provisions of chapter seven hundred and thirty-two of the acts of nineteen hundred and forty-five and provided for by chapter five hundred and eleven of the acts of the current year, including cost of furniture and equipment	7,000,000

Department of Public Safety.

8421-01	For the purchase of a building at 1010 Commonwealth avenue now occupied as headquarters of the department of public safety, at a cost not to exceed	\$200,000
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Department of Public Works — Waterway Activities.

8422-01	For the further development of state-owned port facilities at New Bedford	\$300,000
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Various Construction Projects.

	To cover the additional cost of construction projects provided for by chapter seven hundred and thirty-two of the acts of nineteen hundred and forty-five, to be allocated by the commission on administration and finance, with the approval of the governor and council	\$2,577,000
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SECTION 3. No payment shall be made or obligation incurred in carrying out any of the aforesaid projects until plans, specifications and contracts therefor, and alterations thereto subsequently proposed, have been approved by the

emergency public works commission, unless otherwise provided by such rules or regulations as said commission may make.

SECTION 4. To meet the expenditures necessary in carrying out the provisions of this act the state treasurer shall, upon request of the governor and council and not later than June thirtieth, nineteen hundred and forty-seven, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding, in the aggregate, the sum of thirteen million five hundred thousand dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Capital Outlay Loan, Act of 1946, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix, but such bonds shall be payable not earlier than July first, nineteen hundred and forty-seven nor later than June thirtieth, nineteen hundred and fifty-seven.

Approved June 15, 1946.

Chap. 607

Emergency
preamble.

AN ACT RELATIVE TO A STATE AIRPORT PLAN.

Whereas, It is urgent that the provisions of this act should become effective without delay in order that certain improvements may be undertaken as soon as possible, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 90,
new sections
39A to 39F,
added.

Commission
to prepare
plans for
airports.

SECTION 1. Chapter ninety of the General Laws is hereby amended by inserting after section thirty-nine the six following sections: — *Section 39A*. The commission shall prepare and revise from time to time a plan for the development of airports and air navigation facilities in the commonwealth. Such plan shall specify, in terms of general location and type of development, the projects considered by the commission to be necessary to provide a system of airports adequate to anticipate and meet the needs of civil aeronautics within the commonwealth. In formulating and revising such plan the commission shall consider the probable technological developments in the science of aeronautics, the protection and safety of persons operating aircraft, the needs of the national defense program, air commerce and private flying in order that locations of such airports and air navi-

gation facilities will provide the greatest safety, security and utility. In carrying out this section the commission may make such surveys, studies and investigations as it may deem necessary or desirable.

Section 39B. Each city or town before acquiring any property within the commonwealth for the purpose of establishing, constructing, enlarging or improving thereon an airport or restricted landing area, shall apply to the commission for a certificate of approval of the site. Before granting a certificate of approval for an airport or restricted landing area, the commission may, and upon the request of a resident of such city or town shall, hold a public hearing in the city or town where such airport or restricted landing area is to be located and at least seven days' notice of such hearing shall be published by the commission in a newspaper of general circulation in such city or town. The commission may authorize one member or the director to hold such a hearing.

Commission
to approve
city and town
airports.

All airports, restricted landing areas, and air navigation facilities shall conform to plans and specifications approved by the commission and shall not be in conflict with the state airport plan and no such airport, restricted landing area or air navigation facility shall be maintained or operated unless a certificate of approval of the maintenance and operation thereof is granted and is continued in force by the commission; provided, that no such certificate of approval with respect to a restricted landing area or air navigation facility on which public funds have been expended shall confer an exclusive right for the use thereof.

This section shall not apply to restricted landing areas designed for non-commercial private use, nor to any airport, restricted landing area or other air navigation facility owned or operated within the commonwealth by the federal government; provided, that each person constructing or maintaining a restricted landing area for non-commercial private use shall so inform the commission in writing; and provided, further, that such person shall construct and maintain said restricted landing area in such manner as shall not endanger the public safety.

All approvals or licenses of airports or restricted landing areas granted by the commission prior to the effective date of this section, shall remain in effect.

Section 39C. There is hereby created a fund to be known as the "State Aeronautics Fund". All moneys received on behalf of the commonwealth under sections thirty-five to fifty-two, inclusive, and from the operation, lease or sale of airports or other aeronautical facilities owned by the commonwealth, other than moneys so received on account of the General Edward Lawrence Logan Airport, and all moneys appropriated for the purposes of such fund, shall be paid into the state treasury and credited to said fund. After appropriation, the moneys in said fund, and moneys received from the federal government for airport purposes,

State
Aeronautics
Fund.

Acquisition
of land by
commission,
regulated.

may be expended by the commission, or by the state treasurer at the request of the commission under section thirty-nine F, for any of the purposes authorized by said sections.

Section 39D. After appropriation, the commission, on behalf of the commonwealth, may take property by eminent domain under chapter seventy-nine or eighty A or acquire the same by purchase, lease or otherwise, for any or all of the purposes of acquisition, construction, establishment, enlargement, improvement and protection of regional airports for use as terminal airports in regions to be determined by the commission, and may so take or acquire such property outside the limits or boundaries of airports or restricted landing areas, or sites for the same, as may be necessary for the removal or the prevention of the establishment of any airport hazard. For the purpose of making surveys or examinations relative to any such proposed taking, the commission or its authorized agent may enter upon any such property.

Commission
may provide
engineering,
etc., services
to cities and
towns.

Section 39E. The commission, when it considers such assistance desirable and feasible, may provide, without charge, engineering or other technical services to any city or town requesting such services in connection with the acquisition, construction, establishment, enlargement, improvement or protection of any airport or restricted landing area which conforms to the state airport plan.

Reimburse-
ment to
cities and
towns.

Section 39F. Whenever any city or town undertakes, in conformity with the state airport plan, the acquisition, construction, establishment, enlargement, improvement or protection of an airport, the state treasurer, at the request of the commission, shall pay to or reimburse such city or town from the State Aeronautics Fund in such amount, not exceeding twenty-five per cent of the cost of such work, as may be appropriated therefor by the general court.

Repeal.

SECTION 2. Section fifteen of chapter six hundred and ninety-five of the acts of nineteen hundred and forty-one is hereby repealed.

Approved June 15, 1946.

Chap.608

AN ACT PROVIDING FOR A VETERANS' SERVICES FUND.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish immediately a state fund for financing payments by the commonwealth under certain laws relating to veterans, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Veterans' Services Fund, consisting of so much of the proceeds of the taxes assessed under chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, as amended, as may not be needed to meet the payments authorized thereby, the proceeds of obligations issued by

the commonwealth for the purposes of said fund under authority of section two of this act or otherwise, and the proceeds of such other taxes and the revenue from such other sources as the general court may from time to time determine. Said fund shall be used, subject to appropriation, for meeting such expenses of the commonwealth in administering chapter one hundred and fifteen of the General Laws, chapters four hundred and fifty-nine, four hundred and sixty-nine and five hundred and eighty-one of the acts of the current year and such other laws relating to veterans as the general court may determine, and said fund may be used to meet the payments authorized by chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, as amended, insofar as the proceeds of the taxes assessed thereunder may be insufficient to meet said payments.

SECTION 2. To provide such moneys as may be needed for the purposes of the Veterans' Services Fund, established by section one of this act, in addition to the moneys otherwise available for said purposes, the state treasurer shall, upon request of the governor and council, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor and council from time to time, but not exceeding, in the aggregate, the sum of one hundred million dollars. All bonds issued by the commonwealth as aforesaid shall be designated on their face, Veterans' Services Fund Loan, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix, but such bonds shall be payable not earlier than July first, nineteen hundred and forty-nine, nor later than June thirtieth, nineteen hundred and fifty-six. All interest payments and payments on account of principal on such obligations shall be paid from said Veterans' Services Fund, and from such other sources of revenue as the general court may from time to time determine; provided, that, notwithstanding the foregoing, such obligations shall be general obligations of the commonwealth.

SECTION 3. The provisions of section thirty-four of chapter twenty-nine of the General Laws, as amended, shall not apply to deposits by the state treasurer of the proceeds of bonds or notes issued under the provisions of chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, as amended, or of this act.

Approved June 15, 1946.

Chap. 609 AN ACT ESTABLISHING THE SALARIES OF THE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES, CLERKS AND ASSOCIATE CLERKS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 218, § 75, amended.

Salary of chief justice of municipal court of Boston, established.

G. L. (Ter. Ed.), 218, § 75A, etc., amended.

Salary of clerk established.

Effective date.

SECTION 1. Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section seventy-five, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:— *Section 75.* The salary of the chief justice of the municipal court of the city of Boston shall be twelve thousand dollars, and the salary of each of the associate justices shall be eleven thousand dollars.

SECTION 2. Said chapter two hundred and eighteen is hereby further amended by striking out section seventy-five A, inserted by section two of chapter five hundred and twelve of the acts of the current year, and inserting in place thereof the following section:— *Section 75A.* The salary of the clerk of the municipal court of the city of Boston for civil business and the salary of the clerk of said court for criminal business shall each be seventy-five hundred dollars. The salaries of the first assistant clerks of said court shall be five thousand two hundred and fifty dollars. The salaries of the other assistant clerks of said court shall be forty-five hundred dollars.

SECTION 3. This act shall take effect on July first in the current year.

Approved June 15, 1946.

Chap. 610 AN ACT FURTHER POSTPONING THE TAKING EFFECT OF CERTAIN LAWS PROVIDING FOR BILLS OF EXCEPTIONS IN PROBATE PROCEEDINGS AND IN SUITS IN EQUITY.

Emergency preamble.

Whereas, The principal purpose of this act is to postpone further the taking effect of certain provisions of law contained in section one of chapter four hundred and sixty-nine of the acts of nineteen hundred and forty-five and in section one of chapter five hundred and thirty of the acts of said year and the delayed taking effect of this act would prevent the achievement of such purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter four hundred and sixty-nine of the acts of nineteen hundred and forty-five is hereby amended by striking out section two, as amended by chapter eighty-eight of the acts of nineteen hundred and forty-six, and inserting in place thereof the following section:— *Section 2.* This act shall take effect on March first, nineteen hundred and forty-seven.

SECTION 2. Chapter five hundred and thirty of the acts of nineteen hundred and forty-five is hereby amended by striking out section two, as amended by chapter ninety-four

of the acts of nineteen hundred and forty-six, and inserting in place thereof the following section:— *Section 2.* This act shall take effect on March first, nineteen hundred and forty-seven.

Approved June 15, 1946.

AN ACT INCREASING BENEFIT PAYMENTS UNDER THE EMPLOYMENT SECURITY LAW IN THE CASE OF INDIVIDUALS IN TOTAL UNEMPLOYMENT HAVING DEPENDENT CHILDREN.

Chap. 611

Be it enacted, etc., as follows:

Section twenty-nine of chapter one hundred and fifty-one A of the General Laws, as amended, is hereby further amended by inserting after paragraph (b) the following paragraph:—

G. L. (Ter. Ed.), 151A, § 29, etc., amended.

(c) An individual in total unemployment and otherwise eligible for benefits shall be paid for each week of unemployment, in addition to the amount payable under paragraph (a), the sum of two dollars for each of his dependent children under age eighteen. In no instance shall the regular unemployment benefits and the additional amount allotted for dependency be more than his weekly wage. For the purposes of this subsection his "weekly wage" shall be deemed to be an amount equal to one twenty-sixth of the total wages reported for him in the two highest quarters of his base period; provided, that if wages reported include not more than one quarter in said base period, his weekly wage shall be deemed to be one thirteenth of the total reported for such quarter. If such weekly wage includes a fractional part of a dollar it shall be raised to the next highest dollar. This paragraph shall become effective on April first, nineteen hundred and forty-seven.

Benefit payments under employment security law.

Approved June 15, 1946.

AN ACT CREATING THE OUTDOOR ADVERTISING AUTHORITY AND DEFINING ITS POWERS AND DUTIES.

Chap. 612

Be it enacted, etc., as follows:

SECTION 1. Chapter six of the General Laws is hereby amended by striking out section seventeen, as most recently amended by section two of chapter three hundred and sixty-eight of the acts of the current year, and inserting in place thereof the following section:— *Section 17.* The armory commission, the art commission, the commission on administration and finance, the commissioner of veterans' services, the commissioners on uniform state laws, the public bequest commission, the state ballot law commission, the board of trustees of the Soldiers' Home in Massachusetts, the milk regulation board, the alcoholic beverages control commission, the state planning board, the trustees of the state library, the state racing commission, the Greylock reservation commission, the Port of Boston Authority, the Massachusetts fair employment practice commission, the outdoor advertising authority and the Massachusetts

G. L. (Ter. Ed.), 6, § 17, etc., amended.

Outdoor advertising authority created.

aeronautics commission shall serve under the governor and council, and shall be subject to such supervision as the governor and council deem necessary and proper.

G. L. (Ter. Ed.), 6, new section 60, added.

Outdoor advertising authority, board of, members of, terms of, etc.

SECTION 2. Said chapter six is hereby further amended by adding after section fifty-nine, inserted by section one of chapter five hundred and eighty-three of the acts of the current year, under the heading, OUTDOOR ADVERTISING AUTHORITY, the following section: — *Section 60.* There shall be a board to be known as the outdoor advertising authority, to consist of three persons to be appointed by the governor, with the advice and consent of the council. Not more than two of such members shall be members of the same political party. Said members shall be designated in their original appointments to serve for one, two and three years, respectively, from June first in the year of appointment. Upon the expiration of the term of a member, his successor shall be appointed in the manner aforesaid for three years.

Each member shall hold office until the appointment and qualification of his successor. The governor shall, from time to time, designate one of the members as chairman, and, with the advice and consent of the council, may remove any member for cause and, with like advice and consent, shall fill any vacancy for the unexpired term. Whenever any action by the authority is required to be in writing, such writing shall be sufficient when signed by any two of the members. The authority shall make an annual report in January of each year to the general court.

The chairman of the authority shall receive from the commonwealth as compensation the sum of twenty-five dollars for each day's attendance at board meetings, but not exceeding twenty-five hundred dollars per annum, and shall receive his actual expenses for necessary travel. Each other member shall receive from the commonwealth as compensation the sum of fifteen dollars for each day's attendance at board meetings, but not exceeding fifteen hundred dollars per annum, and shall receive his actual expenses for necessary travel; provided, that any such member who is regularly employed by the commonwealth shall not receive compensation, but may be allowed his actual expenses for necessary travel.

The authority shall appoint, subject to chapter thirty-one, an officer, to be known as the executive director, who shall perform such duties as the authority may prescribe.

G. L. (Ter. Ed.), 93, § 29, amended.

Outdoor advertising authority, powers, duties, etc.

SECTION 3. Chapter ninety-three of the General Laws is hereby amended by striking out section twenty-nine, as appearing in the Tercentenary Edition, and the caption immediately preceding said section, and inserting in place thereof, under the caption OUTDOOR ADVERTISING SIGNS AND DEVICES WITHIN PUBLIC VIEW, the following section: — *Section 29.* The outdoor advertising authority, herein and in section thirty A called the authority, may make, amend or repeal rules and regulations for the proper control and restriction of billboards, signs and other advertising

devices, except as provided in section thirty-two, on public ways or on private property within public view of any highway, public park or reservation. Said rules and regulations may require that said billboards, signs or other devices be licensed in accordance therewith and with this section, may prescribe license fees, to be fixed with regard to the cost of administering this section, and need not be uniform throughout the commonwealth. Except as hereinafter provided, before establishing or amending rules and regulations under this section, the authority shall hold duly advertised public hearings in Boston and elsewhere within the commonwealth as it deems necessary or expedient. Cities and towns may further regulate and restrict said billboards or other devices within their respective limits by ordinance or by-law not inconsistent with sections twenty-nine to thirty-three inclusive, or with said rules and regulations. The findings of the authority on matters heard before it shall be final, except with respect to matters of law.

SECTION 4. Said chapter ninety-three is hereby further amended by striking out section thirty A, as so appearing, and inserting in place thereof the following section: — *Section 30A.* Any billboard, sign or other device, erected after August twentieth, nineteen hundred and twenty without the authorization or permit of the authority, or of the department of public works prior to the establishment of the authority, in cases where such authorization or permit is required, or maintained after said date in violation of any rule or regulation of the authority, shall be deemed a nuisance. Said authority shall have the same power to abate and remove any such nuisance as is given the board of health of a town under sections one hundred and twenty-three to one hundred and twenty-five, inclusive, of chapter one hundred and eleven, and the provisions of said sections shall, so far as applicable, apply in the case of a nuisance as herein defined. The remedy herein provided shall be in addition to any other remedy provided by law.

G. L. (Ter. Ed.), 93, § 30A, amended. Abatement of nuisance

SECTION 5. The initial filing of the office of executive director provided for by this act shall be made by the transfer of the present incumbent of the office of director of outdoor advertising in the department of public works to the service of the outdoor advertising authority and such incumbent shall be certified for and serve in said office of executive director without further civil service examination. Each of the other employees of the department of public works assigned to work that is hereafter to come under the jurisdiction of said authority is hereby transferred to the service of said authority. No transfer hereunder shall impair the civil service, retirement, seniority or other rights of any person so transferred. The department of public works shall deliver to said outdoor advertising authority such records and other data now in the custody of said department pertaining to outdoor advertising as may be necessary for the proper functioning of said authority.

Temporary provisions.

Existing
rules and
regulations
to remain
in effect;
exception.

SECTION 6. The rules and regulations for the control and restriction of billboards, signs and other advertising devices adopted by the department of public works and in force on the effective date of this act shall remain in full force and effect until amended, repealed or superseded by the outdoor advertising authority. All licenses and permits issued by said department of public works and outstanding on said effective date shall remain in effect until the expiration dates thereof, and no rule or regulation of said authority or the repeal of any rule or regulation adopted by said department shall require, or be construed to require, the removal of any billboard or device which at the time of the issue of the license or permit therefor complied with the law and regulation then in effect, or affect any location with respect to which a license or permit has been granted, but said authority shall have full and complete jurisdiction of said licenses or permits in the same manner as if they were originally granted by them.

Approved June 15, 1946.

Chap. 613 AN ACT RELATING TO THE ACQUISITION, ESTABLISHMENT, MAINTENANCE, OPERATION AND REGULATION OF AIRPORTS BY THE COMMONWEALTH AND THE CITIES AND TOWNS THEREOF.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to make immediately operative certain amendments to the laws relative to airports owned or operated by the commonwealth and its political subdivisions and which in the opinion of the General Court are necessary to immediately perfect such laws, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 90, § 51,
etc., stricken
out, and new
sections 51C
to 51L,
inserted.

SECTION 1. Chapter ninety of the General Laws is hereby amended by striking out section fifty-one, as most recently amended by section three of chapter three hundred and ninety-three of the acts of nineteen hundred and thirty-nine, and inserting in place thereof, after section fifty-one B, inserted by section four of chapter five hundred and eighty-two of the acts of the current year, the following ten sections: — *Section 51C.* Airports and air navigation facilities may be established from time to time and may be maintained and operated by the commission, or by other public officials in charge of any land owned or controlled by the commonwealth; provided, that no action shall be taken hereunder by the commission or by any other official or officials of the commonwealth in charge of land owned or controlled by the commonwealth unless sufficient appropriations to cover the expenses thereof shall have been made.

Section 51D. Upon appropriation and subject to all applicable provisions of law, airports and air navigation

Airport
facilities, etc.,
establish-
ment of.

Maintenance
of by cities
and towns.

facilities may be established from time to time and may be maintained and operated by any city or town as provided in sections thirty-five to fifty-two, inclusive.

Section 51E. In any city or town in which an airport is established under section fifty-one D, or under any other provisions of law, there shall be established a board consisting of an odd number of members not less than three in number, to be called the airport commission, which shall have the custody, care and management of the municipal airport of said city or town. The members of the airport commission shall be appointed, in cities, by the mayor with the approval of the city council, and in towns by the selectmen. In the initial appointment of the members of such airport commission, their terms shall be so arranged that one third of the members, as nearly as possible, will expire each year; and thereafter when the term of any member expires his successor shall be appointed to serve for the term of three years and, in each instance, until the qualification of his successor. Vacancies in the commission shall be filled for the unexpired term by the appointing authority. The members of said airport commission shall annually choose one of their members as chairman. Subject to appropriation, the commission shall appoint and fix the salaries of all employees appointed or employed by it.

Local airport commissions, establishment of.

Section 51F. An airport commission with the approval of the mayor and city council or the board of selectmen, as the case may be, may let or lease such airport, or any part thereof, for a period not to exceed twenty years, and, with the approval of the city council or of the town, as the case may be, may so let or lease for such longer period as may be voted.

Airports, leasing, etc., of.

Section 51G. For the purpose of establishing an airport, the airport commission of a city or town, whenever appropriations have been made therefor, may take property by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or may acquire property by purchase, lease or otherwise, both within and without its territorial limits for airport purposes and may so take or acquire such easements in airport hazards outside the boundaries of an airport or airport site as may be necessary for the removal or the prevention of the establishment of any airport hazard. No real property shall be purchased for any purpose by any airport commission for a price more than twenty-five per cent in excess of its average assessed valuation during the previous three years. For the purpose of making surveys or examinations relative to any proposed taking by eminent domain, such airport commission or its authorized agent may make a reasonable entry upon land.

Commission may take land, etc., by eminent domain.

Section 51H. An airport commission shall determine the charges or rentals for the use of any properties under its control and the charges for any services, including concessions, thereat, and the terms and conditions under which

Rentals, etc., commission to determine.

such properties may be used; provided, that in all cases the public is not deprived of its rightful, equal and uniform use of such property. Such charges or rentals shall be reasonable and shall be established with due regard to the property used and the expenses to the airport commission of the operation thereof.

Revenues for airports, disposition of, regulated.

Section 51I. All revenue obtained by an airport commission of a city or town from the ownership, control and operation of any airport or air navigation facilities shall be deposited with the city or town treasurer, and may be appropriated by the city or town airport commissioners for the operating expenses of such airport, including debt maturing annually and the interest thereon. Revenues in excess of the foregoing requirements may be applied to finance the extensions or improvement of the airport or other air navigation facilities.

Rules and regulations.

Section 51J. An airport commission shall adopt rules and regulations for the use of municipal airports or for the safety of the public upon or beyond the limits of airports under its control, whether such airport facilities are within or without the territorial limits of the city or town. Such rules and regulations shall not be effective until approved by the Massachusetts aeronautics commission and published in the same manner that by-laws and ordinances are required to be published. Such rules and regulations shall conform to and be consistent with the laws of the commonwealth and the rules and regulations of the Massachusetts aeronautics commission, and shall not be inconsistent with or contrary to any act of the Congress of the United States relating to aeronautics or any regulations promulgated or standards established pursuant thereto.

Massachusetts aeronautics commission to act as agent of local commissions in respect to federal funds.

Section 51K. The airport commission of any city or town shall not accept, receive or receipt for federal funds, but such airport commission shall designate the Massachusetts aeronautics commission as its agent to accept, receive and receipt for federal moneys in its behalf for airport purposes and to contract for the acquisition, establishment, construction, enlargement, improvement, protection, equipment, maintenance or operation of such airports, or other air navigation facilities, and shall enter into an agreement with said commission prescribing the terms and conditions of such agency in accordance with federal laws, rules and regulations and applicable laws of this commonwealth. Such moneys as are paid over to the Massachusetts aeronautics commission by the United States government shall in turn be paid over to said city or town for the use of the airport commission under such terms and conditions as may be imposed by the United States government in making such grant.

Contracts of local commissions regulated.

Section 51L. All contracts for the acquisition, establishment, construction, enlargement, improvement, protection, equipment, maintenance or operation of airports or other air navigation facilities, made by an airport commission

itself or through the agency of the Massachusetts aeronautics commission, shall be made pursuant to the laws of the commonwealth governing the making of like contracts; provided, however, that where such acquisition, establishment, construction, enlargement, improvement, protection, equipment, maintenance or operation is financed wholly or partly with federal moneys the airport commission, or the Massachusetts aeronautics commission as its agent, may let contracts in the manner prescribed by the federal authorities, acting under the laws of the United States, and any rules or regulations made thereunder, notwithstanding any other law of the commonwealth to the contrary.

SECTION 2. The provisions of this act with respect to municipal airports shall also apply to all such airports established prior to its effective date; provided, that nothing herein contained shall invalidate any lease or contract entered into prior to said effective date.

Approved June 15, 1946.

AN ACT RELATIVE TO ACTIONS FOR DEATH AND INJURIES Chap. 614
RESULTING IN DEATH.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and twenty-nine of the General Laws is hereby amended by striking out sections one to five, inclusive, as amended, and inserting in place thereof the two following sections: — *Section 1.* If the life of a person is lost by reason of a defect or want of repair of, or a want of a sufficient railing in or upon, a way, causeway or bridge, the county, city, town or person by law obliged to repair the same shall, if it or he had previous reasonable notice of the defect or want of repair or want of railing, be liable in damages not exceeding one thousand dollars, to be assessed with reference to the degree of culpability of the defendant and with reference to the pecuniary loss sustained by the parties entitled to benefit hereunder and recovered in an action of tort commenced within one year after the injury causing the death by the executor or administrator of the deceased person, to be distributed, one half to the surviving wife or husband and one half to the children of the deceased dependent upon him for support at the time of his death, or, if there are no such dependent children, to the surviving wife or husband, or, if there is no surviving wife or husband, to the next of kin.

Section 2. If the proprietor of a common carrier of passengers, including a corporation operating a railroad, street railway or electric railroad, by reason of his or its negligence, or wilful, wanton or reckless act, or by reason of the unfitness or negligence, or the wilful, wanton or reckless act, of its agents or servants while engaged in his or its business, causes the death of a passenger, or if any such common carrier or any person, except as provided in section one, so causes the

G. L. (Ter. Ed.), 229, sections 1 to 5, stricken out, and new sections 1 and 2, inserted.

Damages for death from a defective way.

Damages for death by negligence of common carrier, etc.

death of a person in the exercise of due care who is not such a passenger, he or it shall be liable in damages, not less than two thousand nor more than fifteen thousand dollars, to be assessed with reference to the degree of culpability of the defendant or of his or its servants or agents and with reference to the pecuniary loss sustained by the parties entitled to benefit hereunder and recovered in an action of tort commenced within two years after the injury causing the death by the executor or administrator of the deceased person, to be distributed one half to the surviving wife or husband and one half to the children of the deceased dependent upon him for support at the time of his death, or, if there are no such dependent children, to the surviving wife or husband, or, if there is no surviving wife or husband, to the next of kin. Except as otherwise provided in chapter one hundred and fifty-two, this section shall be construed to include liability of an employer for the death of an employee in every case where such employer would have been liable for the injury had it not resulted in death.

Liability of
employer for
death of
employee.

G. L. (Ter.
Ed.), 229,
§ 5A, etc.,
amended.

SECTION 2. Section five A of said chapter two hundred and twenty-nine, inserted by section one of chapter two hundred and seventy-eight of the acts of nineteen hundred and thirty-eight, is hereby amended by striking out, in the third line, the words "one, two, four or five" and inserting in place thereof the words: — one or two, — so as to read as follows: — *Section 5A.* The causing of a death under such circumstances as would create liability under section one or two on the part of a person, if alive at the time of such death, shall create a like liability on his part if such death occurs after his own death, and such liability may be enforced against the executor or administrator of his estate, subject to all provisions of law otherwise applicable.

Action against
estates of
deceased
persons in cer-
tain cases.

G. L. (Ter.
Ed.), 229, § 6,
etc., amended.

SECTION 3. Said chapter two hundred and twenty-nine is hereby further amended by striking out section six, as amended by section sixty-two of chapter four hundred and fifty-one of the acts of nineteen hundred and thirty-nine, and inserting in place thereof the following: — *Section 6.* In any action brought under section two or five A, damages may be recovered under a separate count at common law for conscious suffering resulting from the same injury, but any sum so recovered shall be held and disposed of by the executors or administrators as assets of the estate of the deceased.

Count for
conscious
suffering.

G. L. (Ter.
Ed.), 229,
§ 6A, etc.,
amended.

SECTION 4. Said chapter two hundred and twenty-nine is hereby further amended by striking out section six A, inserted by section two of chapter four hundred and forty-four of the acts of nineteen hundred and forty-three, and inserting in place thereof the following section: — *Section 6A.* All sums recovered under section one, two or five A shall, if and to the extent that the assets of the estate of the deceased shall be insufficient to satisfy the same, be subject to the charges of administration and funeral expenses of said estate, to all medical and hospital expenses necessitated

Sums re-
covered subject
to certain
charges.

by the injury which caused the death, and to reasonable costs and expenses of suit and attorneys' fees incurred in such recovery.

SECTION 5. Section six B of said chapter two hundred and twenty-nine, as so inserted, is hereby amended by striking out, in the second line, the words "one, two, three, five, five A or six" and inserting in place thereof the words: — one, two, five A or six, — so as to read as follows: — *Section 6B.* In the event that any sum recovered under section one, two, five A or six comes into the hands of the executor or administrator of the deceased after the expiration of one year from the time of his giving bond, such sum shall be treated as new assets of the estate of the deceased within the meaning of section eleven of chapter one hundred and ninety-seven.

G. L. (Ter. Ed.), 229, § 6B, etc., amended.

Sums recovered, treated as new assets, when.

SECTION 6. Sections seven, eight, nine and ten of said chapter two hundred and twenty-nine are hereby repealed.

Repeals.

SECTION 7. This act shall take effect on January first, nineteen hundred and forty-seven, and shall apply only to deaths occurring on or after that date.

Effective date.

Approved June 15, 1946.

AN ACT TO APPORTION AND ASSESS FOR THE FISCAL YEAR COMMENCING JULY FIRST, NINETEEN HUNDRED AND FORTY-SIX, AND ENDING JUNE THIRTIETH, NINETEEN HUNDRED AND FORTY-SEVEN, A STATE TAX OF FIVE MILLION DOLLARS.

Chap. 615

Be it enacted, etc., as follows:

SECTION 1. There shall be a state tax for the fiscal year commencing July first, nineteen hundred and forty-six, and ending June thirtieth, nineteen hundred and forty-seven, amounting in the aggregate to five million dollars. The cities and towns in the commonwealth shall be assessed and charged with, and shall pay, said tax in the proportions established for them, respectively, by chapter five hundred and fifty-nine of the acts of nineteen hundred and forty-five. The comptroller shall, as soon as may be, prepare a schedule showing the sum with which each city and town is charged in accordance with this act and transmit the same to the commissioner of corporations and taxation, who shall verify the sums appearing in such schedule and as soon as may be thereafter shall certify it as so verified to the state treasurer. A copy of the schedule as so verified shall be kept in the office of said commissioner and shall be open to public inspection.

SECTION 2. Upon receipt by the state treasurer from said commissioner of said schedule as verified and certified by him, said treasurer shall forthwith send his warrants to the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess in the manner provided in section twenty-one of chapter fifty-nine of the General Laws, as amended, the sum so charged.

SECTION 3. The state treasurer in his warrant shall require the selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities and towns to pay, to the state treasurer, on or before June twentieth in the year nineteen hundred and forty-seven, the sums with which their respective cities and towns are charged as provided in section one; and the selectmen or assessors, respectively, shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the state treasurer at some time before June first in the year nineteen hundred and forty-seven.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the state treasurer within the time specified, the state treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during the delinquency from and after June twentieth in the year nineteen hundred and forty-seven; and if the same remains unpaid after July first in the year nineteen hundred and forty-seven, an information may be filed by the state treasurer in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as the court or the justice thereof before whom the hearing is had, shall order. The state treasurer may deduct at any time from any moneys which may be due from the commonwealth to any city or town the whole or any part of the tax in this act apportioned or any other tax or charge which may be due to the commonwealth from such city or town, with the interest accrued thereon.

Approved June 15, 1946.

Chap. 616 AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS, NOTES AND OTHER FORMS OF WRITTEN ACKNOWLEDGMENT OF DEBT TO BE ISSUED BY THE COMMONWEALTH.

Emergency
preamble.

Whereas, The deferred operation of this act would cause great inconvenience in the issues of bonds, notes and other forms of written acknowledgment of debt to carry out the purposes of various acts passed at the current session of the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under chapter five hundred and fifteen of the acts of the current year, providing for the completion of the

aqueduct of the metropolitan water district from the Charles river to Chestnut Hill and appurtenant works including a distributing reservoir and providing for increased costs thereof, shall be issued for maximum terms of fifty years, as recommended by the governor in a message to the general court, dated June fifteenth, nineteen hundred and forty-six, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 2. Notwithstanding any provision of law to the contrary, the bonds, notes or other forms of written acknowledgment of debt which the state treasurer is authorized to issue under chapter five hundred and forty-six of the acts of the current year, granting the town of Ashland further authority in connection with the construction of a sewerage system and authorizing the metropolitan district commission to finance certain works in connection therewith, shall be issued for maximum terms of twenty years, as recommended by the governor in his message to the general court, dated June fifteenth, nineteen hundred and forty-six, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 3. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under chapter five hundred and ninety-five of the acts of the current year, authorizing the department of public works to make provision for the continued development of the General Edward Lawrence Logan Airport at East Boston, shall be issued for maximum terms of five years, as recommended by the governor in his message to the general court, dated June fifteenth, nineteen hundred and forty-six, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 4. Notwithstanding any provision of law to the contrary, the notes which the state treasurer is authorized to issue under chapter five hundred and eighty-one of the acts of the current year, further providing suitable recognition of certain residents of Massachusetts who shall have served in the armed forces of the United States during World War II, shall be issued and may be renewed one or more times for terms not exceeding one year, and the final maturities of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and forty-nine, as recommended by the governor in his message to the general court, dated June fifteenth, nineteen hundred and forty-six, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 5. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under chapter six hundred and eight of the acts of the current year, providing for a Veterans' Services Fund, shall be issued for maximum terms of ten years, as recommended by the governor in his message to the general court, dated June fifteenth, nineteen hundred and forty-six,

in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

SECTION 6. Notwithstanding any provision of law to the contrary, the bonds which the state treasurer is authorized to issue under chapter six hundred and six of the acts of the current year, to provide for a special capital outlay program for the commonwealth, shall be issued for maximum terms of ten years, as recommended by the governor in his message to the general court, dated June fifteenth, nineteen hundred and forty-six, in pursuance of section 3 of Article LXII of the amendments to the constitution of the commonwealth.

Approved June 15, 1946.

Chap. 617 AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act, and for certain new activities and projects, the sums set forth in section two, for the particular purposes and subject to the conditions stated therein, are hereby appropriated from the general fund or ordinary revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending June thirtieth, nineteen hundred and forty-seven, in said section two referred to as the year nineteen hundred and forty-seven, or for such other period as may be specified.

SECTION 2.

Service of the Legislative Department.

Item		
0246	For an investigation relative to post-war problems, as authorized by chapter eighty of the resolves of nineteen hundred and forty-five, to be in addition to any amount heretofore appropriated for the purpose . . .	\$150 00

Service of the Judicial Department.

	Supreme Judicial Court, as follows:	
0301-05	For law clerks, stenographers and other clerical assistance for the justices, to be in addition to any amount heretofore appropriated for the purpose . . .	\$2,060 00
0301-07	For the salaries of the officers and messengers, to be in addition to any amount heretofore appropriated for the purpose . . .	135 00
	Superior Court, as follows:	
0302-02	For traveling allowances and expenses, to be in addition to any amount heretofore appropriated for the purpose . . .	1,000 00

Service of the Land Court.

Item		
0308-02	For engineering, clerical and other personal services, including not more than twenty-five permanent positions, to be in addition to any amount heretofore appropriated for the purpose	\$5,000 00

Service of the Board of Probation.

0311-01	For personal services of the commissioner, clerks and stenographers, including not more than forty-three permanent positions, to be in addition to any amount heretofore appropriated for the purpose	\$480 00
0312-01	(This item omitted.)	

Service of the Executive Department.

0401-24	(This item omitted.)	
0401-26	For the purchase and maintenance of the governor's automobile	\$4,000 00
0401-51	For personal services of the office of the emergency fuel administrator; provided, that persons whose employment is created by reason of money herein appropriated shall not be subject to civil service laws or the rules and regulations made thereunder, but their employment and salary rates shall be subject to the rules and regulations of the division of personnel and standardization	6,560 00
0401-52	For other expenses of the office of the emergency fuel administrator	2,000 00

Service of the Adjutant General.

0403-23	For personal services necessary for the operation of the commonwealth depot and motor repair park, including not more than fifteen permanent positions, to be in addition to any amount heretofore appropriated for the purpose	\$12,180 00
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Service of the State Quartermaster.

0406-04	For the operating expenses of armories of the first class, including heat and light, but not including repairs, to be in addition to any amount heretofore appropriated for the purpose	\$9,000 00
0406-07	For maintenance, other than personal services, of the commonwealth depot and motor repair park, to be in addition to any amount heretofore appropriated for the purpose	17,000 00

Service of the Commission on Administration and Finance.

0414-32	(This item included in item 2820-33.)	
0414-33	(This item omitted.)	

Service of the State Superintendent of Buildings.

0416-01	For personal services of the superintendent and office assistants, including not more than five permanent positions, to be in addition to any amount heretofore appropriated for the purpose	\$400 00
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Service of the State Planning Board.

Item

- 0419-02 For services other than personal, including rent of offices, travel, and office supplies and equipment, to be in addition to any amount heretofore appropriated for the purpose \$3,000 00

Service of the Soldiers' Home in Massachusetts.

- 0430-00 For the maintenance of the Soldiers' Home in Massachusetts, with the approval of the trustees thereof, including not more than two hundred and thirty-one permanent positions, to be in addition to certain receipts from the United States government, and to be in addition to any amount heretofore appropriated for the purpose . . . \$16,030 00

Service of the Commissioner of Veterans' Services.

Advisory Council:

- 0440-21 For personal services and other expenses in connection with the work of the veterans' service advisory council, as authorized by chapter seven hundred and thirty of the acts of nineteen hundred and forty-five, to be in addition to any amount heretofore appropriated for the purpose \$2,400 00

For Expenses on Account of Wars.

- 0441-03 For expenses of the Grand Army of the Republic, Department of Massachusetts, for the current and previous fiscal years . . . \$1,585 00

Service of the Secretary of the Commonwealth.

- 0501-02 For the salaries of officers and employees holding positions established by law, and other personal services, including not more than sixty-five permanent positions, to be in addition to any amount heretofore appropriated for the purpose . . . \$10,500 00

Special:

- 0502-01 For the purchase of certain supplies and equipment, and for other things necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives", to be in addition to any amount heretofore appropriated for the purpose 2,500 00

Service of the Treasurer and Receiver-General.

- 0601-02 For salaries of officers and employees holding positions established by law, and additional clerical and other assistance, including not more than thirty-nine permanent positions, to be in addition to the amount authorized for the purpose in item 2970-09, and to be in addition to any amount heretofore appropriated for the purpose . . . \$480 00
- 0701-02 (This item omitted.)

Service of the Attorney General's Department.

Item

- 0801-02 For the compensation of assistants in his office, and for such other legal and personal services as may be required, including not more than thirty-eight permanent positions, to be in addition to any amount heretofore appropriated for the purpose . \$6,000 00

Service of the Department of Agriculture.

Special:

- 0901-31 For personal services and other expenses of a survey of the production of cranberries . \$5,000 00

Milk Control Board:

- 0906-02 For other administrative expenses of the board, including office expenses, rent, travel and special services, to be in addition to any amount heretofore appropriated for the purpose 4,200 00

Special:

- 0909-14 The sum of six thousand dollars is hereby transferred to this item from the amount appropriated in item 1002-31 of section two of chapter three hundred and nine of the acts of the current year.

Service of the Department of Conservation.

Special:

- 1001-22 For the purchase of certain land in the town of Draeut, as authorized by chapter six hundred and sixty-five of the acts of nineteen hundred and forty-one \$7,500 00

Service of the Department of Banking and Insurance.

Division of Insurance:

- 1103-02 For other personal services of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, and including not more than one hundred and ninety-one permanent positions, partly chargeable to item 2970-02, to be in addition to any amount heretofore appropriated for the purpose \$3,900 00

Service of the Department of Corporations and Taxation.

- 1202-02 For services other than personal of the income tax division, including traveling expenses, office supplies and equipment, and rent, the sum of eighteen thousand dollars is hereby appropriated from the General Fund, to be in addition to any amount heretofore appropriated for the purpose; provided, that a sum equivalent to the expenditures from this item shall be transferred to the General Fund from receipts from the income tax . \$18,000 00
- 1204-01 (This item omitted.)

Service of the Department of Education.

- 1301-18 For personal services and other expenses required for the operation of an agency for surplus property \$12,000 00

Item

1301-19	For personal services and other expenses of the department of education in connection with a program for extended school services for certain children of certain employed mothers, as authorized by chapter one hundred and sixty-five of the acts of the current year, and for reimbursement to cities and towns of a portion of the cost of said program as authorized by said chapter . . .	\$20,990 00
	Division of Immigration and Americanization:	
1302-01	For personal services, including not more than nineteen permanent positions, to be in addition to any amount heretofore appropriated for the purpose . . .	2,880 00
	Division of Public Libraries:	
1303-01	For personal services of regular agents and other assistants, including not more than fifteen permanent positions, to be in addition to any amount heretofore appropriated for the purpose . . .	3,210 00
	Division of the Blind:	
1304-10	For expenses of administering and operating the services of piano tuning and mattress renovating under section twenty-five of chapter sixty-nine of the General Laws, to be in addition to any amount heretofore appropriated for the purpose . . .	5,000 00
	Teachers' Retirement Board:	
1305-01	For personal services of employees, including not more than seventeen permanent positions, to be in addition to any amount heretofore appropriated for the purpose . . .	5,520 00
	Massachusetts Maritime Academy:	
1306-27	For the development of certain waterfront land at Hyannis, with the approval of the commissioner of education . . .	10,000 00
	For the maintenance of and for certain improvements at the following state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education:	
1307-00	State teachers' college at Bridgewater, including not more than sixty permanent positions, to be in addition to any amount heretofore appropriated for the purpose . . .	7,584 00
1307-21	State teachers' college at Bridgewater, boarding hall, including not more than twenty-nine permanent positions, to be in addition to any amount heretofore appropriated for the purpose . . .	5,000 00
1308-00	State teachers' college at Fitchburg, including not more than sixty permanent positions, to be in addition to any amount heretofore appropriated for the purpose . . .	10,000 00
1308-21	State teachers' college at Fitchburg, boarding hall, including not more than nine permanent positions, to be in addition to any amount heretofore appropriated for the purpose . . .	10,800 00

Item

1309-21	State teachers' college at Framingham, boarding hall, including not more than twenty-five permanent positions, to be in addition to any amount heretofore appropriated for the purpose	\$7,500 00
1309-33	For the construction of new tennis courts at the state teachers' college at Framingham	3,000 00
1312-00	State teachers' college at North Adams, including not more than twenty-six permanent positions, to be in addition to any amount heretofore appropriated for the purpose	4,420 00
1314-00	State teachers' college at Westfield, including not more than thirty permanent positions, to be in addition to any amount heretofore appropriated for the purpose	500 00
1321-00	Massachusetts School of Art, including not more than twenty-nine permanent positions, to be in addition to any amount heretofore appropriated for the purpose	8,700 00

Textile Schools:

1331-00	For the maintenance of the Bradford Durfee textile school of Fall River, under its present or any future title, with the approval of the commissioner of education and the trustees, including not more than twenty-one permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Fall River as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and forty-six, to be in addition to any amount heretofore appropriated for the purpose	5,800 00
1332-00	For the maintenance of the Lowell textile institute, with the approval of the commissioner of education and the trustees, including not more than sixty-three permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of Lowell as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and forty-six, to be in addition to any amount heretofore appropriated for the purpose	28,240 00
1333-00	For the maintenance of the New Bedford textile school, under its present or any future title, with the approval of the commissioner of education and the trustees, including not more than twenty-four permanent positions, and including the sum of ten thousand dollars which is to be assessed upon the city of New Bedford as a part of the charges to be paid by said city to the commonwealth in the calendar year nineteen hundred and forty-six, to be in addition to any amount heretofore appropriated for the purpose	13,000 00

Massachusetts State College:

1341-00	For maintenance and current expenses of the Massachusetts state college, with the approval of the trustees, including not more than five hundred and eighteen permanent	
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Item		
	positions, to be in addition to any amount heretofore appropriated for the purpose .	\$260,000 00
1341-01	For personal services and expenses of the summer session, to be in addition to any amount heretofore appropriated for the purpose .	6,400 00
1341-77	For personal services for the maintenance of the boarding hall, including not more than thirty-four permanent positions, to be in addition to any amount heretofore appropriated for the purpose .	33,700 00
1341-78	For other expenses of the maintenance of the boarding hall, to be in addition to any amount heretofore appropriated for the purpose .	82,000 00
1341-92	For the annual cost of lease of dormitories, as authorized by chapter three hundred and eighty-eight of the acts of nineteen hundred and thirty-nine, to be in addition to any amount heretofore appropriated for the purpose .	31,250 00

Service of the Department of Civil Service and Registration.

1402-02	(This item omitted.)	
	Division of Registration:	
1403-02	For clerical and certain other personal services of the division, including not more than forty permanent positions, to be in addition to any amount heretofore appropriated for the purpose .	\$1,880 00
1416-01	(This item included in item 1403-02.)	

Service of the Department of Labor and Industries.

	Division of Apprenticeship Training:	
1605-01	For personal services of the members of the apprenticeship council and clerical and other assistants, as authorized by sections eleven E to eleven L, inclusive, of chapter twenty-three of the General Laws, including not more than eight permanent positions, to be in addition to any amount heretofore appropriated for the purpose .	\$3,500 00

Service of the Department of Correction.

	For the maintenance of the following institutions under the control of the Department of Correction, to be in addition to any amount heretofore appropriated for the purpose:	
1805-00	Massachusetts reformatory, including not more than one hundred and seventy-six permanent positions .	\$7,760 00
1806-00	Reformatory for women, including not more than one hundred and sixteen permanent positions .	1,800 00
1807-00	State prison colony, including not more than one hundred and eighty-eight permanent positions .	15,000 00

Service of the Department of Public Welfare.

Administration:
 Item 1901-02 of section two of chapter three hundred and nine of the acts of the current year is hereby amended in line two after

Item

the word "than", by striking out the word "thirty" and inserting in place thereof the word "thirty-eight", and by striking out the figures "61,970.00" and inserting in place thereof the figures "95,090.00".

Division of Aid and Relief:

Item 1904-01 of section two of chapter three hundred and nine of the acts of the current year is hereby amended in line two after the word "than" by striking out the words "one hundred and twenty-four" and inserting in place thereof the word "eighty-four", and by striking out the figures "244,660.00" and inserting in place thereof the figures "128,218.00".

Division of Child Guardianship:

1906-01 For personal services of officers and employees, including not more than one hundred and ninety-nine permanent positions, to be in addition to any amount heretofore appropriated for the purpose \$7,000 00

Item 1906-01 of section two of chapter three hundred and nine of the acts of the current year is hereby amended by striking out the figures "308,560.00" and inserting in place thereof the figures "391,882.00".

1906-02 For services other than personal, office supplies and equipment, and rent, to be in addition to any amount heretofore appropriated for the purpose 15,000 00

1906-03 For the care and maintenance of children, including not more than two permanent positions, to be in addition to any amount heretofore appropriated for the purpose 300,000 00

Service of the Department of Public Health.

Division of Cancer and Other Chronic Diseases:

2003-02 For other expenses of the division, including cancer clinics, to be in addition to any amount heretofore appropriated for the purpose \$4,000 00

Division of Maternal and Child Health:

2004-02 For services other than personal, traveling expenses, office supplies and equipment, and rent, to be in addition to any amount heretofore appropriated for the purpose 2,500 00

Blood Plasma Program:

2008-12 For other expenses for a program for the production and utilization of blood plasma and other products derived from blood; provided, that no charge shall be made for said products, to be in addition to any amount heretofore appropriated for the purpose 10,000 00

2009-01 (This item omitted.)

2009-02 (This item omitted.)

2023-00 For the maintenance of the North Reading state sanatorium, including not more than one hundred and eighty-six permanent positions, to be in addition to any amount heretofore appropriated for the purpose 5,000 00

Service of the Department of Public Safety.

Item		
	Division of State Police:	
2102-01	For the salaries of officers and detectives, including not more than three hundred and twenty-two permanent positions partly chargeable to item 2970-04, to be in addition to any amount heretofore appropriated for the purpose	\$3,600 00
2102-04	For expert assistance to the commissioner, and for maintenance of laboratories for the year nineteen hundred and forty-seven and for the previous year, including not more than seven permanent positions, to be in addition to any amount heretofore appropriated for the purpose	11,120 00
	Fire Prevention Service:	
2103-02	For personal services of fire and other inspectors, including not more than twenty permanent positions, to be in addition to any amount heretofore appropriated for the purpose	6,000 00
2103-04	For traveling expenses of fire and other inspectors, to be in addition to any amount heretofore appropriated for the purpose	2,500 00
	State Boxing Commission:	
	(This item included in item 2105-13.)	
2105-13	For other expenses of the commission, to be in addition to any amount heretofore appropriated for the purpose	2,500 00
	Board of Standards:	
2106-01	For personal services and expenses of the board, including not more than seven permanent positions, to be in addition to any amount heretofore appropriated for the purpose	2,500 00
	Board of Elevator Regulations:	
2107-01	For personal services and expenses of the board, as authorized by chapter six hundred and forty-three of the acts of nineteen hundred and forty-five, including not more than eight permanent positions, to be in addition to any amount heretofore appropriated for the purpose	2,500 00
	Board of Fire Prevention Regulations:	
2108-01	For personal services and expenses of the board, as authorized by chapter seven hundred and ten of the acts of nineteen hundred and forty-five, including not more than six permanent positions, to be in addition to any amount heretofore appropriated for the purpose	1,500 00

Service of the Department of Public Utilities.

	Special Investigations:	
2301-10	For personal services and expenses of an investigation of the New York, New Haven and Hartford Railroad Company, including expenses of the department of the attorney general in connection with said investigation, to be in addition to any amount heretofore appropriated for the purpose	\$5,000 00

Item		
	Investigation of Gas and Electric Light Meters:	
2302-01	For personal services of the division of inspection of gas and gas meters, including not more than twelve permanent positions, to be in addition to any amount heretofore appropriated for the purpose	\$180 00
2302-02	For expenses of the division of inspection of gas and gas meters, including traveling and other necessary expenses of inspection, to be in addition to any amount heretofore appropriated for the purpose	1,000 00
	Special:	
2320-01	For the expenses of a proceeding for a judicial determination of certain powers and duties of the trustees of the Boston Elevated Railway Company, as authorized by chapter eighty-nine of the resolves of nineteen hundred and forty-one, to be in addition to any amount heretofore appropriated for the purpose	68,000 00

Rental of State Offices.

2820-33	For rental of office space outside of the state house, the sum of fifty thousand dollars is hereby appropriated and made available for transfer, with the approval of the commission on administration and finance, to appropriations where the amounts otherwise available are insufficient for the purpose; provided, that no part of the amount herein appropriated shall be used for increasing the rate of rental now being paid for such space	\$50,000 00
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THE FOLLOWING APPROPRIATIONS ARE MADE FROM THE HIGHWAY FUND:

Service of the Department of Public Works.

	Public Works Building:	
2922-21	For the cost of installation of certain lights in the public works building	\$15,000 00
	Functions of the Department relating to Highways:	
	Item 2900-17 of section two of chapter three hundred and nine of the acts of the current year is hereby amended by inserting after the word "laws" in the fourth line the words: — ; provided, that amounts appropriated for this purpose in any fiscal year shall be available for expenditure in the succeeding fiscal year.	
2900-33	For the reimbursement to certain public authorities of the cost of operation of certain bridges, as authorized by chapter six hundred and ninety of the acts of nineteen hundred and forty-five	55,000 00
2900-50 55 }	The existence of the public works stores and equipment account, established by items 2900-50 and 2900-55 of section two of chapter sixty-eight of the acts of nineteen hundred and forty-three, is hereby con-	

Item

tinued for the year nineteen hundred and forty-seven under the terms and conditions prescribed by said items of said chapter sixty-eight; provided, that the total amount to be expended for capital outlay for the purchase of equipment from this account in the year nineteen hundred and forty-seven shall not exceed nine hundred thousand dollars; and the sum of two hundred thousand dollars is hereby appropriated, to be in addition to the amount appropriated in chapter three hundred and nine of the acts of the current year and to any amounts otherwise available for this purpose

\$200,000 00

Registration of Motor Vehicles:

- 2924-02 For services other than personal, including traveling expenses, purchase of necessary supplies and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners and operators of motor vehicles, to be in addition to any amount heretofore appropriated for the purpose

55,000 00

Service of the Department of Public Safety.

Division of State Police:

- 2970-04 For the salaries of officers and detectives, to be in addition to the amount appropriated in item 2102-01, and to be in addition to any amount heretofore appropriated for the purpose

\$5,400 00

THE FOLLOWING APPROPRIATIONS ARE MADE FROM THE PORT OF
BOSTON FUND:

Port of Boston Authority:

- 3140-01 For personal services, including not more than fifty-eight permanent positions, and other expenses of administration, including the cost of maintenance of certain offices outside of the commonwealth, and the cost of engineering and other necessary consulting services

\$500,000 00

- 3150-01 For personal services, including not more than ninety-three permanent positions, and for other expenses as required for the operation and maintenance of property under the control of the authority, including the purchase of equipment; provided, that sums may be expended from the amount herein appropriated for engineering and other necessary consulting services

400,000 00

- 3150-11 (This item included in 3150-01.)

- 3150-21 (This item included in 3150-01.)

- 3150-31 (This item included in 3150-01.)

- 3150-41 For projects for dredging channels and filling flats, and for the removal of wrecks and other obstructions from tide water, to be in addition to any amount heretofore appropriated for the purpose

100,000 00

THE FOLLOWING APPROPRIATIONS ARE MADE FROM THE INLAND
FISHERIES AND GAME FUND:

Service of the Department of Conservation.

Item		
	Division of Fisheries and Game:	
3304-03	For services other than personal, including printing the annual report, traveling expenses and necessary office supplies and equipment, and rent, to be in addition to any amount heretofore appropriated for the purpose	\$2,000 00
	Enforcement of laws:	
3304-11	For personal services of conservation officers, to be in addition to the amount appropriated in item 1004-11, and to be in addition to any amount heretofore appropriated for the purpose	2,040 00
3304-12	For traveling expenses of conservation officers, and for other expenses necessary for the enforcement of the laws, to be in addition to the amount appropriated in item 1004-12, and to be in addition to any amount heretofore appropriated for the purpose	1,150 00
	Propagation of game birds, etc.:	
3304-32	For other maintenance expenses of game farms and fish hatcheries, and for the propagation of game birds and animals and food fish, to be in addition to any amount heretofore appropriated for the purpose	7,000 00
	Specials:	
3304-49	For the cost of certain improvements at state fish hatcheries, and for the purchase of certain property, as authorized by chapter four hundred and forty-four of the acts of the current year, to be in addition to any amount heretofore appropriated for the purpose	30,000 00
3304-50	For the establishment of pond fish units	30,000 00

THE FOLLOWING APPROPRIATIONS ARE PAYABLE FROM THE VETERANS'
SERVICES FUND:

Service of the Department of Education.

	Specials:	
3513-22	For personal services and other expenses required in connection with furnishing certain educational services to certain war veterans, including the establishment and operation of regional education centers in the commonwealth; provided, that any revenue resulting from the activities herein authorized shall be credited to the Veterans' Services Fund	\$379,165 00
	The appropriation made from the General Fund by item 1301-22 of section two of chapter three hundred and nine of the acts of the current year, in the amount of two hundred thirty-nine thousand one hundred and sixty-five dollars, is hereby cancelled.	

Item

3513-23	For maintenance, including the furnishing of necessary equipment, and for personal services in the operation of the college for veterans established at Fort Devens under authority of an act passed in the current year, with the approval of the board of trustees referred to in said act; provided, that any revenue resulting from the activities herein authorized shall be credited to the Veterans' Services Fund	\$1,300,000 00
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THE FOLLOWING APPROPRIATIONS ARE PAYABLE FROM REVENUES CREDITED TO THE OLD AGE ASSISTANCE FUND:

Service of the Department of Public Welfare.

3619-01	For personal services required for the administration of old age assistance provided by chapter one hundred and eighteen A of the General Laws, including not more than forty-seven permanent positions, to be in addition to any amount heretofore appropriated for the purpose	\$25,000 00
	Reimbursement:	
3625	For reimbursement to cities and towns for old age assistance for the year nineteen hundred and forty-seven and for previous years, to be in addition to any amount heretofore appropriated for the purpose	2,000,000 00

THE FOLLOWING APPROPRIATION IS PAYABLE FROM THE PRISON INDUSTRIES FUND:

4401	For salaries of persons employed in the department of correction in certain supervisory and administrative work in prison industries, including not more than seven permanent positions, to be in addition to any amount heretofore appropriated for the purpose; provided, that of the amount herein appropriated the proportions properly chargeable to the prison industries fund at the Massachusetts reformatory, the reformatory for women, the state prison, and the state prison colony shall be determined by the comptroller	\$360 00
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METROPOLITAN DISTRICT COMMISSION FUNDS.

The following appropriations are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction and with the approval of the metropolitan district commission:

8602-58	For the cost of resurfacing Quinobequin road, so-called, in the city of Newton, to be assessed as part of the cost of maintenance of parks reservations	\$20,000 00
8602-59	For the construction of a swimming pool, including suitable buildings, pumps, piping and other equipment, in the Middlesex Fells, so-called, to be assessed as part of the cost of maintenance of parks reservations	125,000 00

Item		
8602-60	For the cost of providing certain recreational facilities at Revere beach by the metropolitan district commission, as authorized by chapter three hundred and thirty-seven of the acts of the current year, to be assessed as part of the cost of maintenance of parks reservations	\$2,000 00
8602-61	For the purchase of certain land and for the construction of a protective fence on the Neponset river by the metropolitan district commission, as authorized by chapter three hundred and ninety-eight of the acts of the current year, to be assessed as part of the cost of maintenance of parks reservations	6,000 00
8607-25	For the construction of a boat landing and ramp, to be included as part of the cost of maintenance of the Charles River basin; provided, that the sum of fifteen thousand dollars is hereby transferred from the Charles River basin improvement fund to the Charles River basin maintenance fund	15,000 00
8802-29	For the installation of certain chlorinating equipment on the north metropolitan relief sewer, so-called, to be assessed as part of the maintenance of the north metropolitan sewerage system	43,000 00
8802-30	For the installation of a new pumping unit at the Deer Island pumping station, to be assessed as part of the maintenance of the north metropolitan sewerage system	85,000 00
8802-31	For the installation of two new boilers at the Deer Island pumping station, to be assessed as part of the maintenance of the north metropolitan sewerage system	69,500 00
8802-32	(This item omitted.)	
8802-33	(This item omitted.)	
8807-38	For the installation of certain condensers at the Quincy pumping station, to be assessed as part of the maintenance of the south metropolitan sewerage system	5,600 00
8902-45	For the purchase of a crane type truck, to be included as a part of the cost of maintenance of the metropolitan water system	12,000 00
8902-47	For certain roofing repairs at the Wachusett power station, to be included as a part of the cost of maintenance of the metropolitan water system	10,000 00

MISCELLANEOUS.

0102-15	For the cost of preparation of an index of certain special laws, as authorized by chapter twenty-six of the resolves of the current year	\$3,000 00
0102-26	For expenses of the joint committee on municipal finance as authorized by chapter forty of the resolves of the current year, to be in addition to any amount heretofore appropriated for the purpose	5,000 00
0402-24	For the cost of preparation and distribution of service buttons to certain members of the state guard as authorized by chapter thirty-six of the resolves of the current year	3,500 00

Item		
0402-25	For expenses of the United Spanish War Veterans, as authorized by chapter three hundred and eleven of the acts of the current year	\$1,500 00
0441-13	For expenses of the national convention of the Veterans of Foreign Wars of the United States, as authorized by chapter twenty-four of the resolves of the current year	50,000 00
0441-14	For expenses of the national convention of the Yankee Division Veterans' Association, as authorized by chapter twenty-eight of the resolves of the current year	3,000 00
	Item 1201-02 of section two of chapter three hundred and nine of the acts of the current year is hereby amended in lines twenty-nine and thirty by striking out the words "five hundred and eighty-five thousand" and inserting in place thereof the words: — seven hundred and forty-six thousand five hundred and eighty.	
1341-97	For the cost of completion of certain greenhouse construction at the Waltham field station, so-called, of the Massachusetts state college	9,000 00
2015-21	For the continuation of the investigation and preparation of a report relative to the disposal of sewage in the Merrimack river valley as authorized by chapter sixty-two of the resolves of nineteen hundred and forty-five and chapter forty-seven of the resolves of the current year, to be in addition to any amount heretofore appropriated for the purpose	15,000 00
0280	For an investigation relative to improving Fairhaven harbor, as authorized by chapter fifty-nine of the resolves of the current year	3,000 00
0281	For an investigation relative to the benefits of navigation of the Connecticut river	5,000 00
0424-25	For placing a certain memorial in the state house, as authorized by chapter fifty-two of the resolves of the current year	1,000 00
2931-45	For the construction of a certain sea wall in the Revere Beach area, as authorized by chapter four hundred and fifty-eight of the acts of the current year, to be payable from the Highway Fund	10,000 00
3150-42	For certain dredging in the Town river in the city of Quincy, as authorized by chapter four hundred and forty-nine of the acts of the current year, to be payable from the Port of Boston Fund	15,000 00
4015	For the purchase of certain properties in the towns of Oak Bluffs and Edgartown, as authorized by chapter five hundred and ten of the acts of the current year, to be payable from the parks and Salisbury beach reservation fund	38,000 00
8602-43	For the alteration and enlargement of the John A. Havey memorial beach, as authorized by chapter six hundred and eighty-eight of the acts of nineteen hundred and forty-five, as amended by chapter four hundred and fifty-two of the acts of the current year, to be assessed as part of the cost	

Item		
	of maintenance of parks reservations, and to be in addition to any amount heretofore appropriated for the purpose	\$10,000 00
8602-62	For the construction of a combination lava-tory and bandstand at Lynn beach, as authorized by chapter four hundred and sixty-five of the acts of the current year, to be assessed as a part of the cost of maintenance of parks reservations	30,000 00
0282	For an investigation relative to the use of coal burning locomotives, as authorized by chapter thirty-seven of the resolves of the current year	2,500 00
0283	For an investigation relative to the erection of a certain memorial, as authorized by chapter sixty-one of the resolves of the current year	1,500 00
0284	For an investigation relative to provisions of the workmen's compensation law, as authorized by chapter sixty-three of the resolves of the current year	500 00
3150-43	For the construction of certain shore protection in the city of Quincy, as authorized by chapter four hundred and eighty-five of the acts of the current year, to be payable from the Port of Boston Fund	40,000 00
0426-01	For personal services and expenses of the Massachusetts fair employment practice commission, including not more than six permanent positions, as authorized by chapter three hundred and sixty-eight of the acts of the current year	30,000 00
	Massachusetts Aeronautics Commission:	
0442-21	For personal services and other expenses of operating the Bedford airport, as authorized by chapter four hundred and forty-two of the acts of the current year	65,000 00
	Treasurer and Receiver-General:	
0601-03	For services other than personal, traveling expenses, office supplies and equipment, to be in addition to any amount heretofore appropriated for the purpose	16,500 00
	Department of Agriculture, Administration:	
0901-02	For personal services of clerks and stenographers, including not more than twenty-two permanent positions, to be in addition to any amount heretofore appropriated for the purpose	1,380 00
	Division of Dairying and Animal Husbandry:	
0905-03	For administering the law relative to the inspection of barns and dairies by the department of agriculture, including not more than twelve permanent positions, to be in addition to any amount heretofore appropriated for the purpose	3,280 00
	Milk Control Board:	
0906-01	For personal services of members of the board and their employees, including not more than seventy-four permanent positions, to be in addition to any amount heretofore appropriated for the purpose	5,340 00

Item		
0906-02	For other administrative expenses of the board, including office expenses, rent, travel and special services, to be in addition to any amount heretofore appropriated for the purpose	\$2,000 00
	Teachers' Retirement Board:	
1305-02	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, and rent, to be in addition to any amount heretofore appropriated for the purpose	2,000 00
	Massachusetts Maritime Academy:	
1306-10	For the maintenance of the academy and ship, including not more than fifty permanent positions, with the approval of the commissioner of education, to be in addition to any amount heretofore appropriated for the purpose	30,000 00
	Item 1301-61 of section two of chapter three hundred and nine of the acts of the current year is hereby amended in the second line after the word "positions" by inserting the following words: — for the year nineteen hundred and forty-seven and the previous year.	
	Department of Industrial Accidents:	
1501-01	For personal services of members of the board, including not more than nine permanent positions, to be in addition to any amount heretofore appropriated for the purpose	14,000 00
1501-02	For personal services of secretaries, inspectors, clerks and office assistants, including not more than one hundred and nineteen permanent positions, to be in addition to any amount heretofore appropriated for the purpose	4,800 00
1501-03	For traveling expenses, to be in addition to any amount heretofore appropriated for the purpose	750 00
1501-04	For other services, printing the annual report, necessary office supplies and equipment, to be in addition to any amount heretofore appropriated for the purpose	750 00
1501-05	For expenses of impartial examinations, and for expenses of industrial disease referees, as authorized by section nine B of chapter one hundred and fifty-two of the General Laws, for the year nineteen hundred and forty-seven and the previous year, to be in addition to any amount heretofore appropriated for the purpose	5,000 00
	Department of Mental Health:	
1710-00	For the maintenance of the Boston psychopathic hospital, including not more than one hundred and sixty-three permanent positions, to be in addition to any amount heretofore appropriated for the purpose	3,000 00
1722-00	For the maintenance of the Monson state hospital, including not more than four hundred and fifteen permanent positions, to be in addition to any amount heretofore appropriated for the purpose	3,500 00

Item		
	Division of Fisheries and Game, Enforcement of Laws:	
1004-11	For personal services of conservation officers, including not more than thirty-nine permanent positions, partly chargeable to item 3304-11, to be in addition to any amount heretofore appropriated for the purpose	\$2,040 00
1004-12	For traveling expenses of conservation officers, and for other expenses necessary for the enforcement of the laws, to be in addition to the amount appropriated in item 3304-12, and to be in addition to any amount heretofore appropriated for the purpose	1,150 00
	Department of Correction:	
1801-02	For personal services of deputies, agents and stenographers, including not more than twenty-four permanent positions, to be in addition to any amount heretofore appropriated for the purpose	360 00
	Division of Classification of Prisoners:	
1801-08	For expenses of the division hereby authorized, including not more than eleven permanent positions, to be in addition to any amount heretofore appropriated for the purpose; provided that the persons employed hereunder shall not be subject to the civil service laws or the rules and regulations made thereunder	2,040 00
	Item 8802-25 of section two of chapter 682 of the acts of nineteen hundred and forty-five is hereby amended in the first line by striking out the words "certain coal handling" and inserting in place thereof the words: — oil burning.	
0258	For an investigation relative to shellfish, as authorized by chapter seventy-seven of the resolves of the current year, to be in addition to any amount heretofore appropriated for the purpose	5,000 00
0270	For an investigation relative to public education, as authorized by chapter eighty-two of the resolves of the current year, to be in addition to any amount heretofore appropriated for the purpose	4,000 00
0285	For a study of the problem of shore protection, as authorized by chapter seventy of the resolves of the current year	5,000 00
0251	For an investigation relative to safety of persons in places of assembly, as authorized by chapter seventy-four of the resolves of the current year, to be in addition to any amount heretofore appropriated for the purpose	3,000 00
0287	For an investigation relative to a new edition of the general laws, as authorized by chapter sixty-nine of the resolves of the current year	2,500 00
0288	For an investigation relative to adoption laws and practices, as authorized by chapter seventy-five of the resolves of the current year	10,000 00

Item

	Item 0503-03 of section two of chapter three hundred and nine of the acts of the current year is hereby amended by adding after the word "documents" in the first line the words: —, in addition to any amount heretofore appropriated for the purpose.	
0102-18	For travel of the committee on public welfare, in accordance with a joint order of the general court	\$2,500 00
0102-29	For expenses of the committee on state administration, in accordance with a joint order of the general court	5,000 00
0102-30	For expenses of the committee on transportation, as authorized by a joint order of the general court	3,000 00
0102-31	For expenses of a joint special committee on redistricting, as authorized by a joint order of the general court	3,500 00
0102-27	For expenses of the joint committee on departmental rules and regulations as authorized by a joint order of the general court	1,500 00
0102-32	For a study of the department of conservation by a joint special committee, as authorized by a joint order of the general court	1,000 00
0269	For expenses of the commission on airports and air transportation, as authorized by chapter eighty-seven of the resolves of nineteen hundred and forty-five and chapter seventy-eight of the resolves of the current year, and by certain joint orders of the general court, to be in addition to any amount heretofore appropriated for the purpose	10,000 00
0102-33	For a further study by the committee on insurance, as authorized by a joint order of the general court	5,000 00
0289	For a study of procedures of the general court, as authorized by a joint order of the general court	2,500 00
0101-25	For clerical and other assistance of the house committee on ways and means, including not more than three permanent positions, to be in addition to any amount heretofore appropriated for the purpose	5,000 00
0102-25	For expenses of the joint committee on ways and means, as authorized by a joint order of the general court, to be in addition to any amount heretofore appropriated for the purpose	4,000 00
	For the salaries of assistant registers of probate of the several counties, to be in addition to any amount heretofore appropriated for the purpose:	
	Hampden:	
0306-67	Three assistant registers	3,180 00
	Norfolk:	
0306-71	Three assistant registers	3,180 00
	Worcester:	
0306-74	Three assistant registers	3,180 00
0430-26	For the purchase of an ambulance, as authorized by chapter three hundred and sixty-nine of the acts of the current year .	4,000 00

Item		
3504-01	For the issuance of certificates of service in World War II, as authorized by chapter four hundred and fifty-nine of the acts of the current year, to be payable from the Veterans' Services Fund	\$205,000 00
0268	For a further study relative to rapid transit in the Boston metropolitan area, as authorized by chapter fifty-four of the resolves of the current year, to be in addition to any amount heretofore appropriated for the purpose	15,000 00
0259	For a further study of the district court system, as authorized by chapter sixty-six of the resolves of nineteen hundred and forty-five and by a joint order of the general court, to be in addition to any amount heretofore appropriated for the purpose	1,500 00
0275	For a further investigation relative to housing, as authorized by chapter eighty-four of the resolves of the current year	7,500 00
0290	For an investigation relative to revising the charter of the city of Boston and related matters, as authorized by chapter ninety of the resolves of the current year	5,000 00
0291	For an investigation relative to child delinquency and related matters, as authorized by chapter eighty-six of the resolves of the current year	3,500 00
0292	For an investigation relative to pardons and paroles, as authorized by chapter eighty-five of the resolves of the current year	4,000 00
0293	For an investigation relative to certain reservoirs, as authorized by chapter seventy-nine of the resolves of the current year	1,000 00
1726-00	For the establishment and maintenance of a state school for the feeble-minded at Camp Myles Standish, so-called	300,000 00
0222	For a further study relative to retirement laws, as authorized by chapter seventy-six of the resolves of the current year, to be in addition to any amount heretofore appropriated for the purpose	1,000 00
0246	For a further investigation relative to post war problems, as authorized by chapter sixty-four of the acts of the current year, to be in addition to any amount heretofore appropriated for the purpose	5,000 00
0416-01	For personal services of the superintendent and office assistants, including not more than five permanent positions, to be in addition to any amount heretofore appropriated for the purpose	500 00
2900-34	For reimbursement to the city of Boston of the cost of certain tunnel plans, as authorized by chapter five hundred and sixty-seven of the acts of the current year, to be payable from the Highway Fund	250,000 00
0101-26	For payments to relatives of deceased members of the house of representatives, as authorized by chapters sixty-five, sixty-six, sixty-seven and sixty-eight of the resolves of the current year	10,000 00

Item		
2001-23	For a study of the greenhead fly nuisance, as authorized by chapter fifty-eight of the resolves of the current year	\$3,000 00
0294	For an investigation relative to the improvement of Fairhaven Harbor, as authorized by chapter fifty-nine of the resolves of the current year	3,000 00
3504-02	For the issuance of certificates of service in World War II to relatives of certain veterans, as authorized by chapter four hundred and sixty-nine of the acts of the current year, to be payable from the Veterans' Services Fund	15,000 00
0701-21	For personal services and expenses of a complete audit of the finances of the Boston Elevated Railway Company, including the cost of preparation of a report of said audit, as authorized by chapter five hundred and eighty-nine of the acts of the current year, to be in addition to any other amount available for the purpose	10,000 00
	The sum of twenty thousand dollars as appropriated in item 2301-11 of section two of chapter three hundred and nine of the acts of the current year is hereby transferred and made available for the purpose of item 0701-21 of this act.	
0101-14	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, including not more than fifteen permanent positions, to be in addition to any amount heretofore appropriated for the purpose	2,250 00
0101-07	For such additional clerical assistance to, and with the approval of, the clerk of the senate, as may be necessary for the proper despatch of public business, including not more than one permanent position, to be in addition to any amount heretofore appropriated for the purpose	900 00
0605-01	For administrative expenses of the emergency finance board, including not more than eight permanent positions, to be in addition to any amount heretofore appropriated for the purpose	1,950 00
	Special:	
0406-22	For the cost of certain reconstruction and repair at the Commonwealth Armory	40,000 00
1309-33	For the cost of certain fireproofing at the state teachers' college at Framingham	33,300 00
0440-21	For personal services and other expenses of the commissioner of veterans' services required in connection with chapter five hundred and eighty-four of the acts of the current year	30,000 00
0403-13	For compensation for special and miscellaneous duty and for expenses of operation of the second division of the state guard; provided, that any provision of law to the contrary notwithstanding, sums not exceeding in the aggregate fifteen thousand three hundred and fifty dollars and thirty cents may be expended for salaries of four full	

Item		
	time positions, to be in addition to any amount heretofore appropriated for the purpose	\$600 00
2001-24	For a study relative to poliomyelitis, as authorized by chapter ninety-three of the resolves of the current year	5,000 00
0802-03	For certain claims as authorized by chapter ninety-two of the resolves of the current year	5,000 00
	Massachusetts Development and Industrial Commission:	
1603-01	For personal services of employees, including not more than five permanent positions	50,000 00
1603-02	For administrative expenses, including office rent and other incidental expenses, and for the promotion and development of the industrial, agricultural and recreational resources of the commonwealth	250,000 00
	Treasurer and Receiver-General:	
3506-21	For personal services and other expenses of the treasurer and receiver-general in connection with the payment of the veterans' bonus, so called, as authorized by chapter seven hundred and thirty-one of the acts of nineteen hundred and forty-five, as amended, to be in addition to any amounts heretofore made available for the purpose	85,000 00
	Department of Public Works:	
2202-11	For the improvement, development, maintenance and protection of rivers and harbors, tide waters and foreshores within the commonwealth, as authorized by chapter three hundred and nine of the acts of the current year, to be in addition to any amount heretofore appropriated for the purpose; provided, that payments from the money provided in this item for work authorized by project (6) of chapter six hundred and eighty-six of the acts of nineteen hundred and forty-five shall be limited to work made necessary by the hurricane occurring in the calendar year nineteen hundred and forty-four	150,000 00
0427-01	For personal services and expenses of the emergency housing board, as authorized by chapter five hundred and ninety-two of the acts of the current year	10,000 00
0301-07	For the salaries of the officers and messengers, to be in addition to any amount heretofore appropriated for the purpose	700 00
2805-01	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves	2,210 00
2820-03	For certain claims and other payments as authorized by chapters thirty, fifty, fifty-five, fifty-six, fifty-seven, eighty-seven and eighty-nine of the resolves of the current year	24,450 00
2941-03	For expenses of the post-war highway commission, to be in addition to any amounts heretofore made available for the purpose, to be payable from the Highway Fund	10,000 00

Item		
0101-11	For the compensation for travel of doorkeepers, assistant doorkeepers, general court officers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, to be in addition to any amount heretofore appropriated for the purpose	\$20,000 00
0428-01	For personal services and expenses of the outdoor advertising authority, as authorized by chapter six hundred and twelve of the acts of the current year, to be in addition to any amount otherwise made available for the purposes	8,000 00
	The sum of \$20,720 as appropriated in item 2200-02 of chapter three hundred and nine of the acts of the current year, is hereby transferred to and made available for the purposes of item 0428-01 of this act.	
	The sum of nineteen hundred and fifty dollars as appropriated in item 0605-01 of this act is hereby transferred to the following item to be in addition to any other amount made available for the purposes.	
0606-01	For personal services and other expenses of the state emergency public works commission including not more than six permanent positions	-
	Dental Health:	
	For personal services of the division including not more than six permanent positions	15,690 00
2009-02	For other expenses of the division	7,500 00

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain funds, as follows:

2899	General Fund	\$3,973 28
2999	Highway Fund	1,035 26
4099	Parks and Salisbury Beach Reservation Fund	86 96
8699	Metropolitan Parks Fund	44 88

SECTION 3. No payment shall be made or obligation incurred under authority of any special appropriation made by this act for construction of public buildings or other improvements at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

SECTION 4. No moneys appropriated under this act shall be expended for reimbursement for the expenses of meals for persons while traveling within the commonwealth at the expense thereof, unless such reimbursement is in accordance with rules and rates which are hereby authorized to be established from time to time by the commission on administration and finance.

SECTION 5. The allowance to state employees for expenses incurred by them in the operation of motor vehicles owned by them and used in the performance of their official duties shall not exceed five and one half cents a mile.

SECTION 6. Amounts included for permanent positions in sums appropriated in section two for personal services are based upon schedules of permanent positions and salary rates as approved by the joint committee on ways and means, and, except as otherwise shown by the files of said committee, no part of sums so appropriated in section two shall be available for payment of salaries of any additional permanent positions, or for payments on account of reallocations of permanent positions, or for payments on account of any change of salary range or compensation of any permanent position, except as provided by section nine of this act.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and forty-seven shall be available for the payment of such other forms of compensation as may be due under existing statutes, or under the provisions of rules and regulations made in accordance with said statutes.

SECTION 8. All money paid into the treasury of the commonwealth from federal subventions and grants may be expended without specific appropriation, if such expenditures are otherwise in accordance with law; provided, that applications for such subventions and grants, and for transfers within said subventions and grants, shall be subject to the approval of the commission on administration and finance.

SECTION 9. To meet the cost of the salary increases for officers and employees of the commonwealth whose salaries are established by statute, as provided for by chapters 544 and 591 of the acts of the current year, the sum of \$262,065.14 is hereby appropriated for the fiscal year 1947 to be paid in the following amounts from the following funds:

General Fund	\$250,405 14
Highway Fund	1,840 00
Inland Fisheries and Game Fund	1,200 00
Old Age Assistance Fund	2,520 00
Special Assessment Fund	600 00
Metropolitan District Commission Funds	5,500 00

The sum herein appropriated is to provide the amounts required to be added to each of the appropriation items for personal services for the fiscal year 1947 in order to meet the cost of said salary increases. The comptroller is hereby directed to transfer said amounts from the sum herein appropriated to the appropriation items aforesaid which cover the personal services of persons whose salaries are so increased, the same to be in each instance in addition to the amounts already appropriated in said items.

SECTION 10. This act shall take effect on July first, nineteen hundred and forty-six. *Approved June 15, 1946.*

AN ACT TO PROVIDE THAT LABOR UNIONS SHALL FILE CERTAIN STATEMENTS AND REPORTS WITH THE COMMISSIONER OF LABOR AND INDUSTRIES.

Be it enacted by the People, and by their authority as follows:

SECTION 1. No person or association of persons shall operate or maintain a labor union unless and until there has been filed with the commissioner of labor and industries a statement in writing signed by the president and secretary of such labor union, setting forth the names and addresses of all of the officers of such union, the aims and objects of said union, the scale of dues, initiation fees, fines and assessments to be charged to the members, and the salaries to be paid to the officers.

SECTION 2. The president and secretary of such labor unions shall thereafter make an annual report to the commissioner of labor and industries in such form as he may prescribe, and signed by the president and secretary of such labor union, setting forth the amount of money collected for initiation fees, dues, fines and assessments, and setting forth the amount paid in salaries to officers, listing their names and addresses, and the amount paid to each of such officers, and setting forth all other expenditures, listing the name and address and the amount paid to each person.

SECTION 3. The commissioner shall have the power to require by summons the attendance and testimony of witnesses, the production of books, papers and documents and to administer oaths.

SECTION 4. The commissioner of labor and industries shall keep a record of all statements and reports submitted to him under the provisions of this chapter, all of which shall be open to public inspection. He shall report to the attorney general instances of neglect or omission on the part of any person or association of persons to comply with the provisions of this chapter for the enforcement of the penalties therefor.

SECTION 5. Whoever violates either section one or section two, or whoever knowingly makes or files a statement or report under section one or section two, which statement or report is false in any material representation, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars.

OFFICE OF THE SECRETARY,
BOSTON, November 27, 1946.

I hereby certify that the foregoing law entitled "An Act to provide that Labor Unions shall file Certain Statements and Reports with the Commissioner of Labor and Industries" was approved by the People at the State Election held on November 5, 1946, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

F. W. COOK,
Secretary of the Commonwealth.

RESOLVES.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE ATTORNEY GENERAL RELATIVE TO CERTAIN STATEMENTS MADE BEFORE A LEGISLATIVE COMMITTEE ON JANUARY FOURTEENTH, NINETEEN HUNDRED AND FORTY-SIX.

Chap. 1

Resolved, That the attorney general is hereby authorized and directed to make a thorough investigation relative to certain statements made before the joint committee on education on January fourteenth, nineteen hundred and forty-six, as reported in the public press, that certain school teachers were swindled of money by a politician still in public life, to promote legislation for equal rates of pay for women and men teachers, for the purpose of ascertaining the truth or falsity of such statements and with a view to recommending such legislation as he may deem necessary or advisable.

The attorney general may require by summons the attendance and testimony of witnesses and the production of books and papers before him relating to any matter investigated by him in pursuance of this resolve. Such a summons may be issued by the attorney general or by any of his assistants and shall be served in the same manner as summonses for witnesses in criminal cases issued in behalf of the commonwealth, and all provisions of law relative to summonses issued in such cases shall apply to summonses issued under authority of this resolve, so far as they are applicable. Such witnesses shall, before testifying, be sworn by the attorney general or by one of his assistants. Any justice of the supreme judicial or of the superior court may, upon application of the attorney general, compel the attendance of witnesses summoned as aforesaid and the giving of testimony before the attorney general in furtherance of any investigation under this resolve, in the same manner and to the same extent as before said courts. No person shall be excused from attending and testifying in the course of such investigation, or from producing any books, papers or documents, on the ground that his testimony or evidence, documentary or otherwise, may tend to criminate him or subject him to a penalty or forfeiture; but he shall not be prosecuted or subjected to penalty or forfeiture for or on account of any action, matter or thing concerning which he may be required to testify or produce evidence, documentary or otherwise, in the course of such investigation, except for perjury committed in such testimony.

The attorney general is hereby further directed to report to the general court the results of his investigations and his recommendations, if any, together with drafts of legislation

necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before February fifteenth in the current year.

For the purposes of such investigation there may be expended, subject to appropriation, a sum not exceeding two thousand dollars.

Approved January 15, 1946.

Chap. 2 RESOLVE VALIDATING THE ACTS OF ELIZABETH E. R. LEWIS OF BELMONT AS A NOTARY PUBLIC.

Resolved, That the acts of Elizabeth E. R. Lewis of Belmont as a notary public between July thirtieth, nineteen hundred and forty-two, and September twenty-first, nineteen hundred and forty-five, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, upon the change of her name from Elizabeth E. Russ, and until said September twenty-first, nineteen hundred and forty-five, she failed to re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, are hereby confirmed and made valid.

Approved February 18, 1946.

Chap. 3 RESOLVE VALIDATING CERTAIN ACTS OF THE VICTORY CO-OPERATIVE BANK OF CHELSEA.

Resolved, That all acts of the Victory Co-operative Bank of Chelsea, including the merger of said bank and the Chelsea Co-operative Bank, are hereby confirmed and made valid to the same extent as if at all times during its existence the said Victory Co-operative Bank had been legally performing its functions as a bank.

Approved February 25, 1946.

Chap. 4 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE EXISTING SHORTAGES OF FEED FOR LIVESTOCK AND OF NECESSARY SUPPLIES FOR FOOD PRODUCTION.

Whereas, The existing shortage of food products within the commonwealth has a serious effect on the health and well-being of all our citizens and is of great public concern; and

Whereas, The production of food within the commonwealth can, if properly encouraged, greatly relieve the deficiencies in food supply which now exist; and

Whereas, The present reduced supply of feed for livestock and of other supplies necessary for the production of food and the adoption of further reductions now proposed by federal agencies will definitely create greater shortages in milk, dairy products, eggs and poultry products as well as handicapped production of other Massachusetts-grown products; therefore be it

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the presi-

dent thereof, four members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, is hereby established for the purpose of making an immediate and thorough investigation of the causes of the existing shortages of feed for livestock and of necessary supplies for food production and relative to the prices and quality thereof, with a view to recommending such legislation for eliminating or alleviating said shortages as it may deem necessary or advisable. For the purposes of this resolve, said commission may expend not more than ten thousand dollars, which sum is hereby appropriated from the general fund or revenue of the commonwealth. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives as soon as may be but in no event later than May first in the current year.

Approved March 19, 1946.

RESOLVE PROVIDING FOR AN IMMEDIATE INVESTIGATION
RELATIVE TO HOUSING CONDITIONS IN THE COMMON-
WEALTH.

Chap. 5

Resolved, That an unpaid special commission, consisting of two members of the senate to be designated by the president thereof, five members of the house of representatives to be designated by the speaker thereof and two persons to be appointed by the governor, is hereby established for the purpose of making an immediate investigation relative to housing conditions in the commonwealth with a view to determining what action should be taken to provide relief from the existing shortage of dwellings. Said commission shall hold public hearings and shall report to the general court the results of its investigation, together with drafts of legislation necessary to carry into effect its recommendations, by filing the same with the clerk of the house of representatives as soon as may be.

Approved March 28, 1946.

RESOLVE PROVIDING FOR A FURTHER INVESTIGATION BY
THE JUDICIAL COUNCIL RELATIVE TO THE APPOINTMENT
OF RECEIVERS FOR TAX DELINQUENT REAL ESTATE.

Chap. 6

Resolved, That the judicial council be requested to investigate further the advisability of enacting legislation authorizing the appointment of receivers for tax delinquent real estate, which was considered in part in its twenty-first report, for the year nineteen hundred and forty-five, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and forty-seven.

Approved April 8, 1946.

- Chap.* 7 RESOLVE PROVIDING FOR A FURTHER INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO EXCEPTIONS IN SUITS IN EQUITY AND IN PROCEEDINGS IN PROBATE COURTS.

Resolved, That the judicial council be requested to further investigate the subject matter of so much of its twenty-first report, for the year nineteen hundred and forty-five, as relates to exceptions in suits in equity and in proceedings in probate courts, and to report to the general court its conclusions and recommendations, if any, in relation to said subject matter, together with drafts of such legislation as may be necessary to give effect to the same, by filing the same with the clerk of the house of representatives prior to June fifteenth in the current year.

Approved April 8, 1946.

- Chap.* 8 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FACILITATING APPEALS IN PROCEEDINGS IN PROBATE CASES AND REDUCING THE COST THEREOF.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered two hundred and thirty-eight, relative to facilitating appeals in proceedings in probate cases and reducing the cost thereof, and to report to the general court its conclusions and recommendations, if any, in relation to said subject matter, together with drafts of such legislation as may be necessary to give effect to the same, by filing the same with the clerk of the house of representatives prior to June fifteenth in the current year.

Approved April 8, 1946.

- Chap.* 9 RESOLVE VALIDATING THE ACTS OF PEARL HORVITZ MEKELBURG OF FALL RIVER AS A NOTARY PUBLIC.

Resolved, That the acts of Pearl Horvitz Mekelburg, of Fall River, as a notary public between June thirtieth, nineteen hundred and thirty-eight, and June thirtieth, nineteen hundred and forty-five, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time she had been qualified to discharge the duties of said office.

Approved April 18, 1946.

- Chap.* 10 RESOLVE VALIDATING THE ACTS OF MARY D. WELCH OF FITCHBURG AS A NOTARY PUBLIC.

Resolved, That the acts of Mary D. Welch of Fitchburg as a notary public between November third, nineteen hundred and thirty-eight, and August first, nineteen hundred and forty-five, both dates inclusive, in so far as the same may have been invalid by reason of the fact that, upon the change of her name from Mary G. Doheny, she failed to

re-register under her new name and pay to the state secretary a fee of one dollar as required by section thirteen of chapter thirty of the General Laws, and in so far as the same may have been invalid by the reason of the fact that her commission as notary public expired on April thirteenth, nineteen hundred and forty-five, are hereby confirmed and made valid to the same extent as if during said time she had been qualified to discharge the duties of said office.

Approved April 18, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO TRIALS BEFORE THREE JUSTICES OF THE SUPERIOR COURT. *Chap. 11*

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered two hundred and thirty-four, relative to trials before three justices of the superior court, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and forty-six.

Approved April 18, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FACILITATING APPEALS IN PROCEEDINGS IN EQUITY AND REDUCING THE COST THEREOF. *Chap. 12*

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered two hundred and thirty-five, relative to facilitating appeals in proceedings in equity and reducing the cost thereof, and to include its conclusions and recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and forty-six.

Approved April 18, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE CRIME OF BREAKING AND ENTERING AND RELATIVE TO THE JURISDICTION OF DISTRICT COURTS OVER CERTAIN CRIMES. *Chap. 13*

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered four hundred and thirty-eight, relative to the crime of breaking and entering, and the subject matter of current house document numbered six hundred and ninety-eight, relative to the jurisdiction of district courts over certain crimes, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and forty-six.

Approved April 25, 1946.

Chap. 14 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT VETERANS PAROLED OR DISCHARGED FROM VETERANS ADMINISTRATION FACILITIES WITHIN THE COMMONWEALTH UNDER THE SUPERVISION OF THE DEPARTMENT OF MENTAL HEALTH SHALL BE RELEASED IN ACCORDANCE WITH CERTAIN PROVISIONS OF LAW, AND RELATIVE TO REGULATING THE INSPECTION OF RECORDS OF HOSPITALS UNDER THE CONTROL OF SAID DEPARTMENT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered fifty-nine, relative to providing that veterans paroled or discharged from Veterans Administration Facilities within the commonwealth under the supervision of the department of mental health shall be released in accordance with certain provisions of law, and the subject matter of current house document numbered sixty-three, relative to regulating the inspection of records of hospitals under the control of the department of mental health, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 2, 1946.

Chap. 15 RESOLVE VALIDATING THE ACTS OF ELSIE A. LINCOLN OF TAUNTON AS A JUSTICE OF THE PEACE.

Resolved, That the acts of Elsie A. Lincoln of Taunton as a justice of the peace between December twenty-ninth, nineteen hundred and forty-five, and February twelfth, nineteen hundred and forty-six, both dates inclusive, are hereby confirmed and made valid to the same extent as if during said time she had been qualified to discharge the duties of said office.

Approved May 8, 1946.

Chap. 16 RESOLVE PROVIDING FOR A FURTHER INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE SENTENCING OF PERSONS CONVICTED OF CRIME.

Resolved, That the judicial council is hereby requested to consider further the subject matter of senate document numbered four hundred and seventy-eight of the year nineteen hundred and forty-five, relative to the sentencing of persons convicted of crime, and also of house document numbered sixty-eight of said year, relative to the sentencing of persons convicted of crime, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 10, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROOF OF LACK OF DUE CARE OR PROOF OF CONTRIBUTORY NEGLIGENCE IN ACTIONS FOR RECOVERY OF CONSEQUENTIAL DAMAGES. *Chap. 17*

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered four hundred and forty, relative to proof of lack of due care or proof of contributory negligence in actions for recovery of consequential damages and to include its conclusions and recommendations in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and forty-six. *Approved May 10, 1946.*

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO MEDICAL EXAMINATIONS OF INJURED PERSONS IN CONNECTION WITH ACCIDENT CASES, SO CALLED, AND RELATIVE TO PERMITTING A PARTY TO A CAUSE OF ACTION TO SEE ANY DOCUMENT, PAPER, STATEMENT OR MEMORANDUM USED BY A WITNESS TO REFRESH HIS RECOLLECTION. *Chap. 18*

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered nine hundred and fifty-one, relative to medical examinations of injured persons in connection with accident cases, so called, and the subject matter of current house document numbered nine hundred and fifty-two, relative to permitting a party to a cause of action to see any document, paper, statement or memorandum used by a witness to refresh his recollection, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 14, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE COMMISSION ON ADMINISTRATION AND FINANCE OF THE FEASIBILITY AND COST OF PROVIDING MEDICAL TREATMENT IN TIMES OF EMERGENCY FOR OFFICERS AND EMPLOYEES OF THE COMMONWEALTH AT THE STATE HOUSE AND FOR CERTAIN VISITORS THERETO. *Chap. 19*

Resolved, That the commission on administration and finance is hereby authorized and directed to investigate the feasibility and cost of providing medical treatment in times of emergency for officers and employees of the commonwealth at the state house and for certain visitors thereto. In the course of its investigation, said commission shall consider the subject matter of current senate document numbered one hundred and thirty-nine. Said commission shall report to the general court its findings, and its recommenda-

tions, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday of December in the current year.

Approved May 14, 1946.

Chap. 20 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE COMMISSION ON ADMINISTRATION AND FINANCE RELATIVE TO THE COMPENSATION IN CERTAIN CASES OF EMPLOYEES OF THE COMMONWEALTH TEMPORARILY ORDERED TO SERVE, AND WHILE SERVING, IN POSITIONS OF HIGHER CLASSIFICATION THAN THEIR OWN.

Resolved, That the commission on administration and finance is hereby directed to make an investigation concerning the compensation which should be received by employees of the commonwealth temporarily ordered to serve, and while serving, for over thirty days or some other fixed time, in a higher classification than their own by reason of a vacancy in the higher position, sickness of the incumbent in the higher position, or any other proper cause; and in this connection to consider the subject-matter of current senate document one hundred and ninety-three. Said commission shall report the results of its investigation to the general court, and what action, if any, by rule or otherwise has been taken, and its recommendations, if any, for further action or for legislation, by filing such report with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 14, 1946.

Chap. 21 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL UNPAID COMMISSION OF THE LAWS RELATING TO PARDONS AND PAROLES AND TO DEFECTIVE DELINQUENTS.

Resolved, That a special unpaid commission, consisting of two members of the senate to be designated by the president thereof, five members of the house of representatives to be designated by the speaker thereof, and one person to be appointed by the governor, is hereby established for the purpose of making a study of the laws of the commonwealth relative to the pardons and paroles of prisoners and in addition the laws relative to defective delinquents, with a view to making such changes in said laws as may be necessary for the best interests of the public. Said commission may expend for clerical and other services and expenses such sums, not exceeding, in the aggregate, two thousand dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday of June in the current year.

Approved May 14, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE FILING OF LIBELS FOR DIVORCE. *Chap. 22*

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered one hundred and fifty-nine, relative to the filing of libels for divorce, and to include its conclusions and recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 14, 1946.

RESOLVE PROVIDING FOR A FURTHER INVESTIGATION RELATIVE TO THE PAYMENT OF BENEFITS TO EMPLOYEES WHO ARE ABSENT FROM WORK ON ACCOUNT OF SICKNESS. *Chap. 23*

Resolved, That the state advisory council in the division of employment security is hereby authorized and directed to make an investigation of the subject matter of current senate document ninety and current house documents one hundred and fifty-seven, two hundred and sixty-three and twelve hundred and nine, relative to the payment of sickness compensation, so called, under the employment security law or otherwise, to persons absent from work on account of illness. Said advisory council shall report to the general court its findings, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Approved May 15, 1946.

RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE COMMONWEALTH AT THE NATIONAL CONVENTION OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES TO BE HELD IN THE CITY OF BOSTON IN THE CURRENT YEAR. *Chap. 24*

Resolved, That, in order that the commonwealth may be properly represented on the occasion of the national convention of the Veterans of Foreign Wars of the United States to be held in the city of Boston in the current year, and to ensure, in arranging entertainments and other events in connection therewith, proper co-operation between the Massachusetts Department of the Veterans of Foreign Wars of the United States and the commonwealth, after an appropriation has been made therefor there may be expended, with the approval and under the direction of the governor and council, a sum not exceeding fifty thousand dollars.

Approved May 16, 1946.

Chap. 25 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO DECREES OF DIVORCE BASED UPON THE LIBELLEE'S COMMISSION OF ANY UNNATURAL ACT WITH ANY PERSON.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered nine hundred and forty-nine, relative to decrees of divorce based upon the libellee's commission of any unnatural act with any person, and to include its conclusions and its recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 17, 1946.

Chap. 26 RESOLVE PROVIDING FOR THE TYPING OF CARDS CONSTITUTING AN INDEX OF CERTAIN SPECIAL LAWS OF THE COMMONWEALTH.

Resolved, That, for the purpose of expediting and promoting accuracy in the work of the general court, and of the several state departments, the counsel to the senate and the counsel to the house of representatives are hereby authorized and directed to cause to be typed upon cards the manuscript card index now existing of the special laws passed by the general court beginning with the year seventeen hundred and eighty and ending with the year eighteen hundred and ninety-nine, and for such purpose there may be expended by said counsel in the current and the next fiscal years three thousand dollars. Said index when typed on cards shall be placed in the office of the state secretary and shall be open to public inspection at all reasonable hours.

Approved May 17, 1946.

Chap. 27 RESOLVE PROVIDING FOR A FURTHER INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE SANDING OF REVERE BEACH IN THE CITY OF REVERE.

Resolved, That the metropolitan district commission is hereby authorized and directed to investigate further the matter of the sanding of Revere beach in the city of Revere, in furtherance of the investigation relative thereto made by it under the provisions of chapter twenty-eight of the resolves of nineteen hundred and forty-five. Said commission shall report to the general court the results of its investigation hereunder, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 18, 1946.

RESOLVE PROVIDING FOR A PROPER REPRESENTATION OF THE
COMMONWEALTH AT THE NATIONAL CONVENTION OF THE
YANKEE DIVISION VETERANS ASSOCIATION TO BE HELD IN
THE CITY OF WORCESTER IN THE CURRENT YEAR. *Chap. 28*

Resolved, That, in order that the commonwealth may be properly represented at the national convention of the Yankee Division Veterans Association to be held at Worcester in the current year, after an appropriation has been made therefor there may be expended for such purpose, with the approval and under the direction of the governor and council, a sum not exceeding three thousand dollars.

Approved May 18, 1946.

RESOLVE RELATIVE TO CERTAIN HARBOR AND WATERWAY
IMPROVEMENTS. *Chap. 29*

Resolved, That, subject to the conditions hereinafter imposed, the following projects for the improvement of harbors and waterways in the commonwealth, already adopted by the Congress of the United States, when federal funds are available therefor, are hereby authorized:— Manchester Harbor, Salem Harbor, Marblehead Harbor, Duxbury Harbor, Hyannis Harbor, Cape Cod Canal (Onset Bay), Nantucket Harbor, Westport River. Subject to appropriation, the department of public works is hereby authorized to pay to the secretary of war of the United States on his demand the contribution required from local interests, as specified by the Congress with respect to each project, and to give to said secretary of war the assurances required for such project; provided, that in each instance the municipality in which the project lies shall have deposited with the state treasurer one half of such contribution and assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that may be incurred under said project, and has given to said department of public works satisfactory assurances that conditions imposed upon such municipality or other local interests with respect to such project will be met.

Approved May 18, 1946.

RESOLVE IN FAVOR OF HELEN M. HEALY OF PALMER. *Chap. 30*

Resolved, That for the purpose of promoting the public good, there shall be allowed and paid out of the state treasury, subject to appropriation, the sum of six hundred dollars to Helen M. Healy of Palmer, the sister of John B. Murphy who was killed on December second, nineteen hundred and forty-five, while serving as a truck driver in the department of public works by reason of the breaking of the hydraulic lift of a motor truck; provided, that no payment shall be

made hereunder until there shall have been filed with the comptroller an agreement signed by said Helen M. Healy that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the amount paid or payable hereunder.

Approved May 18, 1946.

Chap. 31 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE ARMORY COMMISSION RELATIVE TO THE ERECTION OF NEW ARMORIES IN THE CITIES OF GARDNER, MELROSE AND LEOMINSTER, IN THE EAST BOSTON DISTRICT OF THE CITY OF BOSTON AND IN THE TOWNS OF BRAINTREE, BOURNE AND SHARON.

Resolved, That the armory commission is hereby authorized and directed to investigate the subject matter of current senate document numbered two hundred and forty-eight, relative to the erection of a new armory in the town of Bourne, the subject matter of current house document numbered four hundred and sixty-two, relative to the erection of a new armory in the town of Braintree, the subject matter of current house document numbered four hundred and sixty-three, relative to the erection of a new armory in the town of Sharon, and the subject matter of current house document numbered seventeen hundred and sixty, relative to the erection of a new armory in the city of Gardner, in the city of Melrose and in the East Boston district of the city of Boston. Said commission shall also make an investigation relative to the advisability of providing for the erection of a new armory in the city of Leominster. Said commission shall report to the general court the results of its investigations hereunder, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 18, 1946.

Chap. 32 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO NOTICES TO BENEFICIARIES UNDER A WILL TO BE GIVEN PRIOR TO THE ALLOWANCE OF THE WILL.

Resolved, That the judicial council be requested to investigate the subject matter of the draft act relative to notices to beneficiaries to be given by an executor after appointment, appearing on page fifty-three of the Twenty-First Report of the Judicial Council, and also to include in its investigation the general subject of notices upon petition for the allowance of wills, with special reference to the following proposed legislation: —

AN ACT RELATIVE TO NOTICES UPON PETITIONS FOR ALLOWANCE OF WILLS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter one hundred and ninety-two of the General Laws is hereby amended by inserting after section one B, inserted by section one of chapter three hundred and thirty-eight of the acts of nineteen hundred and forty-five, the following section:— *Section 1C.* Upon petition for allowance of a will notice shall be given in such manner as the court may order to all beneficiaries thereunder who have not assented in writing, personally or by legal representative or a guardian ad litem duly appointed, to the allowance of the petition.

The return of service of such notice shall contain a written statement of the names of all known beneficiaries under the will, noting the incapacity of any to act in his or their own behalf, and of the manner of service including the postoffice address of each beneficiary to whom such notice was mailed.

Such return shall be signed by the petitioner, or one of the petitioners, and sworn to by him; or shall be signed by an attorney-at-law who is an attorney of record for such petitioner or petitioners, —

and to include its conclusions and recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 18, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE BRINGING OF NEW PARTIES INTO COURT ACTIONS BY ORDER OF THE COURT.

Chap. 33

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered nine hundred and thirty-five, relative to providing for the bringing of new parties into court actions by order of the court, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and forty-six.

Approved May 21, 1946.

RESOLVE EXTENDING THE TIME FOR THE PAYMENT OF AN ANNUITY TO AGNES L. HARRISON OF BOSTON.

Chap. 34

Resolved, That there shall be paid, subject to appropriation, from the state treasury, for a further period of five years, an annuity of six hundred and sixty dollars to Agnes L. Harrison of Boston, whose husband, John Harrison, was killed by lightning, while in the performance of his duty as an employee of the military division of the commonwealth.

Said annuity shall be payable in monthly installments from and after the period covered by chapter twenty-five of the resolves of nineteen hundred and forty-one and shall cease upon the remarriage of said Agnes L. Harrison. No payment shall be made hereunder until there shall have been filed with the comptroller an agreement signed by said Agnes L. Harrison that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

Approved May 21, 1946.

Chap. 35 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE COMMISSION ON ADMINISTRATION AND FINANCE RELATIVE TO THE ADDITIONAL COST AND PERSONNEL REQUIRED FOR THE ESTABLISHMENT OF A FIVE DAY WEEK IN THE SERVICE OF THE COMMONWEALTH, WITH CERTAIN LIMITATIONS AS TO HOURS.

Resolved, That the commission on administration and finance is hereby authorized and directed to investigate the additional cost of placing all state and metropolitan district services on a five day week of thirty-seven and one half hours for office workers and forty hours for others, and the increased personnel which would be required to effect such change. Said commission, in making its investigation hereunder, shall consider the subject matter of current house documents numbered three hundred and ninety-nine, four hundred and eighty-nine, five hundred and ninety-eight and eight hundred and seventeen. Said commission shall report to the general court its findings, together with such recommendations, if any, as it may wish to make, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 21, 1946.

Chap. 36 RESOLVE PROVIDING FOR A SERVICE BUTTON FOR CERTAIN FORMER MEMBERS OF THE STATE GUARD WHO SERVED DURING WORLD WAR II.

Resolved, That the adjutant general shall prepare a state guard service button and shall, upon application therefor, present one such button to each former member of the state guard who served as a member thereof for at least one year during World War II and has been honorably discharged from such service, and for such purpose the adjutant general, subject to appropriation, may expend a sum not exceeding thirty-five hundred dollars. The button authorized by this resolve shall not be similar to any button authorized to be worn by any veteran of World War II or any earlier war in which the United States has been engaged.

Approved May 22, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO PROHIBITING, RESTRICTING OR FURTHER REGULATING THE USE BY RAILROADS OF COAL BURNING LOCOMOTIVES, AND CERTAIN RELATED MATTERS. *Chap. 37*

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof and one person to be appointed by the governor, is hereby established for the purpose of investigating the subject matter of current senate documents numbered sixty-one, one hundred and twenty-five and one hundred and ninety-nine and of current house documents numbered one hundred and thirty-four, six hundred and eight, ten hundred and ten and twelve hundred and twenty-five, relative to prohibiting, restricting or further regulating the use by railroads of coal burning locomotives, and certain related matters. Said commission may expend for clerical and other services and expenses, such sums, not exceeding, in the aggregate, twenty-five hundred dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 23, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT THE COMMONWEALTH MAY BE SUED IN ADMIRALTY FOR DAMAGE CAUSED TO VESSELS OF PRIVATE PARTIES AND FOR INJURIES SUSTAINED BY PERSONS ON SUCH VESSELS. *Chap. 38*

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered eleven hundred and twenty-one, relative to providing that the commonwealth may be sued in admiralty for damage caused to vessels of private parties and for injuries sustained by persons on such vessels, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 23, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE COMMISSION ON ADMINISTRATION AND FINANCE RELATIVE TO UNIFORMS FOR CERTAIN OFFICERS AND EMPLOYEES IN STATE AND COUNTY PENAL INSTITUTIONS. *Chap. 39*

Resolved, That the commission on administration and finance is hereby authorized and directed to make an investigation relative to uniforms for certain officers and em-

ployees in state and county penal institutions. In making its investigation, said commission shall consider the subject matter of current senate document numbered one hundred and ninety-two and matters relevant thereto, with special reference to initial costs and annual upkeep of such uniforms. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the year nineteen hundred and forty-six.

Approved May 24, 1946.

Chap. 40 RESOLVE PROVIDING FOR A FURTHER INVESTIGATION BY THE JOINT COMMITTEE ON MUNICIPAL FINANCE OF THE LAWS RELATING TO MUNICIPAL FINANCE.

Resolved, That the joint committee on municipal finance is hereby authorized to sit during the recess of the general court to further investigate the provisions of chapters forty and forty-four of the General Laws and other provisions of law dealing with the subject matter of municipal finance that in the opinion of the committee need correction, with a view to recommending such changes therein or additions thereto as may appear necessary or desirable. In the course of its work hereunder, said committee shall consider the subject matter of current house documents numbered four hundred and sixty-four and nine hundred and ninety. Said committee may expend for expenses and travel within and outside the commonwealth and for clerical and other assistance such sums, not exceeding, in the aggregate, five thousand dollars, as may hereafter be appropriated therefor. The payment by said committee of compensation for services rendered to it in the carrying out of the purposes of this resolve shall not be subject to section ninety-one of chapter thirty-two of the General Laws. Said committee shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 24, 1946.

Chap. 41 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE OPERATION OF MOTOR VEHICLES AT RAILROAD GRADE CROSSINGS, AND RELATIVE TO PROCEDURE IN CERTAIN ACTIONS TO RECOVER DAMAGES ARISING OUT OF MOTOR VEHICLE ACCIDENTS AT SUCH CROSSINGS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered two hundred and fifty-nine, relative to the operation of motor vehicles at railroad grade crossings, and the

subject matter of current house document numbered two hundred and sixty, relative to procedure in certain actions to recover damages arising out of motor vehicle accidents at railroad grade crossings, and to include its conclusions and recommendations in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and forty-six.

Approved May 24, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING THE RELEASE OF PERSONS HELD IN CUSTODY UPON DEPOSIT OF CASH OR SECURITIES IN CERTAIN CASES. *Chap. 42*

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered eighteen hundred and eighty-three, relative to authorizing the release of persons held in custody upon deposit of cash or securities in certain cases, and to include its conclusions and recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and forty-six.

Approved May 24, 1946.

RESOLVE PROVIDING FOR A STUDY BY THE STATE PLANNING BOARD OF ZONING LAWS IN CERTAIN TOWNS WITH A VIEW TO DETERMINING THE AREAS AVAILABLE FOR MODERATELY PRICED HOMES AND RENTAL HOUSING UNITS. *Chap. 43*

Resolved, That the state planning board is hereby authorized and directed to make a study of the zoning laws in force in towns on the outskirts of cities having a population of more than fifty thousand with a view to determining the amount of area available for moderately priced homes and rental housing units. Said board shall report to the general court the results of its study, and its recommendations, if any, together with drafts of such legislation as may be necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year.

Approved May 31, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL OF CERTAIN MATTERS RELATING TO CERTAIN STRIKES AFFECTING THE PUBLIC HEALTH AND PUBLIC SAFETY. *Chap. 44*

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered three hundred and two, relative to legislation to penalize certain strikes affecting the public health and public

safety, and to include its conclusions and recommendations, if any, in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the year nineteen hundred and forty-six.

Approved June 3, 1946.

Chap. 45 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DIVISION OF ACCOUNTS IN THE DEPARTMENT OF CORPORATIONS AND TAXATION OF THE ADDITIONAL COST AND PERSONNEL REQUIRED FOR THE ESTABLISHMENT BY MUNICIPAL AND COUNTY GOVERNMENTS OF A FIVE DAY WEEK, WITH CERTAIN LIMITATIONS AS TO HOURS.

Resolved, That the division of accounts in the department of corporations and taxation is hereby authorized and directed to investigate the approximate additional cost to the several counties of the commonwealth, and the approximate additional cost to cities and towns of the commonwealth, to be selected by way of example, of placing all services of counties and cities and towns on a five day week of thirty-seven and one half hours for office workers and forty hours for all others, and the approximate additional personnel that would be required to effect such change. Said division, in making its investigation hereunder, shall consider the subject matter of current senate document numbered three hundred and thirty-two and of current house document numbered eight hundred and sixteen. Said division shall report to the general court its findings, together with such recommendations, if any, as it may wish to make, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 4, 1946.

Chap. 46 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE COMMISSION ON ADMINISTRATION AND FINANCE RELATIVE TO PROVIDING LIKE HOURS OF LABOR IN LIKE GRADES IN THE SERVICE OF THE COMMONWEALTH.

Resolved, That the commission on administration and finance is hereby directed to make an investigation relative to the various hours of employment of persons of the same grade in the several departments, divisions and institutions of the commonwealth, with a view to establishing, so far as consistent with the duties of the particular department, division or institution in which they work and with the office hours maintained therein, uniform rules applicable to all persons of the same grade. Said commission, in making its investigation hereunder, shall consider the subject matter of current house document numbered four hundred and ninety-one, and shall report to the general court the results of its investigation, including information as to what action, by rule or otherwise, if any, has been taken by it with respect

to such office hours, and its recommendations for further action by rule or legislation with respect thereto, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 4, 1946.

RESOLVE PROVIDING ADDITIONAL FUNDS TO COVER THE COST OF THE PREPARATION OF A REPORT RELATIVE TO THE DISPOSITION OF SEWAGE IN THE MERRIMACK RIVER VALLEY. *Chap. 47*

Resolved, That the joint board, composed of the Merrimack River Valley Sewerage Board and the department of public health, created by chapter sixty-two of the resolves of nineteen hundred and forty-five, is hereby authorized to expend for the purposes of said resolve an additional sum of fifteen thousand dollars; and be it further

Resolved, That said joint board is hereby authorized to seek and accept a federal grant of funds as an assistance to carrying on the duties set forth in the provisions of said resolve, and to enter into such agreement incident thereto as may be required to obligate the commonwealth to reimburse the federal government in the event that a construction project is later authorized by it.

Approved June 4, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE STATE PLANNING BOARD RELATIVE TO PROVIDING FOR THE IMPROVEMENT OF THE NEPONSET RIVER VALLEY BETWEEN HANCOCK STREET IN QUINCY AND GREEN LODGE STREET (ROUTE 128) IN CANTON FOR RECREATIONAL AND OTHER PURPOSES. *Chap. 48*

Resolved, That the state planning board is hereby authorized and directed to investigate the subject matter of current house document numbered nine hundred and sixty-two, relative to providing for the improvement of the Neponset river valley between Hancock street in Quincy and Green Lodge street (Route 128) in Canton for recreational and other purposes. Said board shall report to the general court the results of its investigation, and its recommendations, if any, together with estimates of cost and drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 5, 1946.

RESOLVE IN FAVOR OF WILLIAM J. GROVES OF GLOUCESTER. *Chap. 49*

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth and of promoting the public good, and after an appropriation has been made therefor, there be allowed and paid out of the state treasury, in monthly instalments from November first, nineteen hundred

and forty-six, the sum of twelve hundred dollars per year, for a period of five years, to William J. Groves of Gloucester, on account of injuries sustained by him while in the performance of military duty with company M, fifteenth infantry, Massachusetts state guard. *Approved June 5, 1946.*

Chap. 50 RESOLVE IN FAVOR OF MAMIE IAMURRI OF LYNN.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth and after an appropriation therefor shall have been made, there be allowed and paid out of the state treasury to Mamie Iamurri of Lynn the sum of seven hundred and fifty dollars on account of injuries sustained by her on September eighteenth, nineteen hundred and forty-two while crossing the General Clarence R. Edwards bridge. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Mamie Iamurri that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the amount paid hereunder. *Approved June 5, 1946.*

Chap. 51 RESOLVE EXTENDING THE TIME WITHIN WHICH THE DEPARTMENT OF PUBLIC HEALTH SHALL MAKE A REPORT TO THE GENERAL COURT OF ITS INVESTIGATION AND STUDY RELATIVE TO THE DECAY OF TEETH RESULTING FROM A LACK OF FLUORINE.

Resolved, That the time within which the department of public health shall make to the general court a report of its investigation and study, under chapter thirty-eight of the resolves of nineteen hundred and forty-five, relative to the decay of teeth resulting from a lack of fluorine, is hereby extended to the second Wednesday in December in the year nineteen hundred and forty-six. For the purposes aforesaid, said department may expend the unexpended balance of the amount appropriated by item 2002-21 of section two of chapter seven hundred and thirty-six of the acts of nineteen hundred and forty-five, but before incurring any expenses the department shall from time to time estimate the amount required and shall submit the same to the governor and council for their approval and no expenses shall be incurred beyond the amount so estimated and approved.

Approved June 6, 1946.

Chap. 52 RESOLVE PROVIDING FOR THE PLACING IN THE STATE HOUSE OF A MEMORIAL TO MASSACHUSETTS MEN WHO HAVE BEEN AWARDED THE CONGRESSIONAL MEDAL OF HONOR FOR WAR SERVICE IN WORLD WAR II.

Resolved, That, after an appropriation has been made and for the purpose of preserving, for the future, evidence of the commonwealth's regard for the heroic services in the military or naval service of the United States during World War II

of those persons who enlisted from or who were otherwise accredited to the commonwealth and whose deeds of valor have been recognized by the awarding of the congressional medal of honor, the governor and council are hereby authorized to provide for the placing within the state house of a suitable memorial tablet, approved by the art commission.

Approved June 6, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION OF THE BENEFITS TO BE DERIVED FROM THE OPENING OF THE CONNECTICUT RIVER TO NAVIGATION BETWEEN THE CITIES OF HARTFORD AND HOLYOKE. *Chap. 53*

Whereas, Substantial savings would accrue to the residents of western Massachusetts from lower costs of gasoline, fuel, lumber and other products; and

Whereas, The industries of the commonwealth located in the Connecticut valley now suffer a serious disadvantage in competition with industries in other sections served by water-borne commerce; therefore be it

Resolved, That an unpaid special commission to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation of the benefits to be derived by the residents and the industries of western Massachusetts from the opening of the Connecticut river to navigation between the cities of Hartford and Holyoke. For the purpose of carrying out the provisions of this resolve, said commission may expend such sums, not exceeding, in the aggregate, five thousand dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of such legislation as may be necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 6, 1946.

RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY TO BE MADE BY THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO RAPID TRANSIT IN THE BOSTON METROPOLITAN AREA. *Chap. 54*

Resolved, That the unpaid special commission established by chapter fifty-six of the resolves of nineteen hundred and forty-three, and revived and continued by chapter eighty-five of the resolves of nineteen hundred and forty-five, shall, in the course of its work, investigate the subject matter of current senate document numbered thirty, relative to the

feasibility of removing the elevated railway structures between Everett and Forest Hills and of constructing a subway loop from Boston through Everett, Malden, Medford, Somerville and Cambridge to Boston and to Forest Hills in the West Roxbury district, the subject matter of current house document numbered eight hundred and fifty-five, relative to providing for the extension of rapid transit facilities from the East Boston district of the city of Boston to the city of Chelsea, the subject matter of current house document numbered fifteen hundred and forty-three, relative to the extension of the Washington street tunnel in the city of Boston to Sullivan square, in the Charlestown district of Boston and to Forest Hills in said city, and the removal of the existing elevated structures, and the subject matter of current house document numbered fifteen hundred and fifty-five, relative to providing for the construction by the transit department of Boston and the state department of public utilities of two double deck viaducts within the Boston area to carry railroad, rapid transit and highway traffic lanes, the lower deck of which shall carry railroad and rapid transit lines and the upper deck shall carry a six-lane highway, and of a rapid transit line north of East Boston to Salem and beyond. Said commission shall include in its final report to the general court the results of its investigation and study hereunder and its recommendations in relation thereto.

Approved June 8, 1946.

Chap. 55

RESOLVE IN FAVOR OF STEPHEN BARANIUK.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, and after an appropriation therefor shall have been made, there shall be allowed and paid out of the state treasury to Stephen Baraniuk of Southampton, the sum of sixty-five hundred dollars in full compensation for the loss or destruction of real and personal property by fire alleged to have been set by an inmate of the Northampton state hospital on or about March twenty-fourth, nineteen hundred and forty-five. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Stephen Baraniuk that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

Approved June 8, 1946.

Chap. 56 RESOLVE IN FAVOR OF THE WIDOW OF GRANT E. HAMILTON.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth and after an appropriation has been made therefor, there be allowed and paid out of the state treasury under the direction of the attorney general to Elizabeth J. Hamilton of Clarksburg, widow of Grant E. Hamilton, late of said Clarksburg, the sum of three thousand

dollars, as full compensation for the death of said Grant E. Hamilton, who was killed at the Monson state hospital on or about October eighth, nineteen hundred and forty-five, while a patient under commitment at said hospital. No payment shall be made hereunder until there shall have been filed with the comptroller an agreement signed by said Elizabeth J. Hamilton that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

Approved June 8, 1946.

RESOLVE IN FAVOR OF LOUIS SCHEINOST.

Resolved, That, for the purpose of discharging a moral Chap. 57
obligation of the commonwealth, and after an appropriation therefor shall have been made, there shall be allowed and paid out of the state treasury to Louis Scheinost of Southamptton, the sum of six thousand dollars in full compensation for the loss or destruction of real and personal property by fire alleged to have been set by an inmate of the Northampton state hospital on or about March twenty-fourth, nineteen hundred and forty-five. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Louis Scheinost that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

Approved June 8, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY Chap. 58
BY A JOINT BOARD CONSISTING OF THE DEPARTMENT OF PUBLIC HEALTH AND THE STATE RECLAMATION BOARD RELATIVE TO THE PROTECTION OF THE PUBLIC HEALTH AND THE RELIEF FROM THE GREENHEAD FLY NUISANCE IN THE TIDAL AREAS IN THE CITIES OF NEWBURYPORT AND GLOUCESTER AND THE TOWNS OF SALISBURY, NEWBURY, ROWLEY, IPSWICH AND ESSEX IN NORTHERN ESSEX COUNTY.

Resolved, That the department of public health and the state reclamation board, acting as a joint board, are hereby authorized and directed to investigate and study conditions existing at the Merrimack, Plum Island, Parker, Rowley, Ipswich, Essex and Annisquam rivers and the lands adjacent thereto in the towns of Salisbury, Newbury, Rowley, Ipswich and Essex and the cities of Newburyport and Gloucester and the tidal areas tributary thereto, for the protection of the public health, comfort and convenience and the relief of the greenhead fly nuisance, so that the waterways, beaches and areas adjacent thereto may be rendered more usable, thus enhancing their value for the purposes of recreation, farming and habitation. For the purposes of this resolve, said joint board may enter on any

land adjoining or abutting the tidal areas of said streams and waterways and their tributaries which it may desire, to survey or examine, and may expend for engineering and other expenses, including DDT and other chemicals, such sums, not exceeding, in the aggregate, three thousand dollars, as may hereafter be appropriated therefor. In connection with said investigation said joint board is hereby authorized to accept financial or other assistance from the federal government, research institutions and other private institutions. Said joint board shall report its recommendations, if any, and plans and estimates of the cost of any works, improvements and damages, together with drafts of legislation to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the year nineteen hundred and forty-seven, and shall at the same time file a copy of said report with the budget commissioner.

Approved June 10, 1946.

Chap. 59 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO AUTHORIZING THE STATE DEPARTMENT OF PUBLIC WORKS TO IMPROVE FAIRHAVEN HARBOR.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and the commissioner and associate commissioners of the department of public works, is hereby established to investigate the advisability and expediency of the improvement of the port facilities at Fairhaven harbor, and in connection therewith shall consider and study the provisions of current senate document numbered twenty. Said commission shall also cause preliminary studies to be made sufficient for reliable estimates as to the probable cost of such work and the probable revenue which might be received therefrom. Said commission may expend, with the approval of the governor and council, for expert, clerical and other services and expenses such sum, not exceeding three thousand dollars, as may be hereafter appropriated therefor. Said commission shall report to the general court the results of its investigation and its recommendations, together with drafts of legislation necessary to give effect to the same, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year, and shall at the same time file a copy thereof with the budget commissioner.

Approved June 10, 1946.

RESOLVE PROVIDING FOR A STUDY BY A JOINT BOARD CONSISTING OF THE DEPARTMENT OF PUBLIC WORKS AND THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO PROVIDING FOR THE CONSTRUCTION OF A BULKHEAD AT CLARK'S COVE IN THE CITY OF NEW BEDFORD, FOR THE PURPOSE OF ABATING A NUISANCE. *Chap. 60*

Resolved, That the department of public works and the department of public health, acting as a joint board, are hereby authorized and directed to study the subject matter of current senate document numbered twenty-one, relative to providing for the construction by the state department of public works of a bulkhead at Clark's cove in the city of New Bedford, for the purpose of abating a nuisance. Said joint board shall report its recommendations, if any, together with drafts of legislation to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Approved June 10, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ERECTION WITHIN THE COMMONWEALTH OF A STATUE OR OTHER SUITABLE MEMORIAL TO COMMEMORATE THE LATE GENERAL GEORGE S. PATTON, JR. *Chap. 61*

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and one person to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the subject matter of current house documents numbered two hundred and twenty-one, five hundred and seventy-six, eleven hundred and sixty-three and thirteen hundred and seventy-two, relative to the erection within the state house or elsewhere within the commonwealth of a statue or other suitable memorial to commemorate the late General George S. Patton, Jr. Said commission shall be provided with quarters in the state house or elsewhere, may travel within and without the commonwealth and may expend for clerical and other services and expenses, such sums, not exceeding, in the aggregate, fifteen hundred dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year.

Approved June 11, 1946.

Chap. 62 RESOLVE PROVIDING FOR THE COMPILING, PRINTING AND DISTRIBUTION OF THE LAWS OF THE COMMONWEALTH RELATING TO VETERANS AND THEIR ORGANIZATIONS AND A SYNOPSIS AND MANUAL THEREOF.

Resolved, That, after the counsel heretofore appointed by the Massachusetts commission on economic and other post-war problems, created by chapter eighty of the resolves of nineteen hundred and forty-five, has compiled, indexed and annotated the laws of the commonwealth, including those enacted in the current year, relating to veterans and to their organizations, and has made a synopsis and manual thereof, the commission on administration and finance shall cause the same to be printed in pamphlet form in an edition of not more than twenty thousand copies. Said compilation, synopsis and manual shall be distributed by the commissioner of veterans' services to municipal and district veterans' services departments, to the person in each city and town authorized to disburse state or military aid therein and to incorporated veterans' organizations throughout the commonwealth.

Approved June 11, 1946.

Chap. 63 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PROVISIONS OF THE WORKMEN'S COMPENSATION LAW PERTAINING TO PAYMENTS THEREUNDER FOR CERTAIN SPECIFIC INJURIES.

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and one member to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the provisions of section thirty-six of chapter one hundred and fifty-two of the General Laws, relating to payments under the workmen's compensation law for certain specific injuries, with a view to making such changes in said provisions of law and additions thereto as it may deem necessary or advisable. Said commission may expend for clerical and other services and expenses such sums, not exceeding, in the aggregate, five hundred dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year.

Approved June 11, 1946.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE A SURVEY AND STUDY OF THE POST-WAR PROBLEMS OF THE COMMONWEALTH RELATIVE TO ECONOMIC, HOUSING FACILITIES AND OTHER CONDITIONS. *Chap. 64*

Resolved, That the unpaid special commission, established by chapter eighty of the resolves of nineteen hundred and forty-five, is hereby revived and continued for the purpose of making a further survey and study of such problems relative to economic, housing facilities and other conditions as, in the opinion of said commission, will have to be met by the commonwealth upon the termination of the present states of war between the United States and certain foreign countries. Said commission shall make a study of the economic resources within the confines of the commonwealth, with a view to providing for a minimum of unemployment and a maximum opportunity for work for veterans and other persons seeking employment. Said commission shall also study measures for the assistance of Massachusetts veterans, and shall study post-war problems with reference to veterans' legislation. Said commission, during its inquiry, shall have the assistance and co-operation of the chairman of the commission on administration and finance, the commissioner of veterans' services and the chairman of the state board of housing. Said commission shall be provided with quarters in the state house, or elsewhere, and may expend for necessary assistance and expenses such sums, as may hereafter be appropriated therefor. The commission shall report to the general court the results of its survey and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 12, 1946.

RESOLVE IN FAVOR OF THE WIDOW OF THE LATE CHARLES H. COOKE. *Chap. 65*

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to the widow of the late Charles H. Cooke, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the current session.

Approved June 13, 1946.

RESOLVE IN FAVOR OF THE HEIRS OR NEXT OF KIN OF THE LATE ADIN W. CUSTANCE. *Chap. 66*

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to the heirs or next of kin of the late Adin W. Custance, who

died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the current session.

Approved June 13, 1946.

Chap. 67 RESOLVE IN FAVOR OF THE WIDOW OF THE LATE LOUIS H. ELLIOTT.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to the widow of the late Louis H. Elliott, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the current session.

Approved June 13, 1946.

Chap. 68 RESOLVE IN FAVOR OF THE WIDOW OF THE LATE WILLIAM A. BROWN.

Resolved, That, for the purpose of promoting the public good, there be allowed and paid out of the state treasury to the widow of the late William A. Brown, who died while a member of the present house of representatives, the salary to which he would have been entitled had he lived and served until the end of the current session.

Approved June 13, 1946.

Chap. 69 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE PREPARATION OF A NEW EDITION OF THE GENERAL LAWS, AND RELATIVE TO THE PREPARATION OF AN INDEX OF CERTAIN SPECIAL LAWS.

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the counsel to the senate and the counsel to the house of representatives, is hereby established for the purpose of making an investigation of the subject matter of current house document numbered eight hundred and twenty-seven, relative to the preparation of a new edition of the General Laws, and the subject matter of current house document numbered fourteen hundred and eighteen, relative to the preparation of an index of special acts affecting counties, cities, towns and districts, the metropolitan districts, railroads and street railways. Said commission may expend for necessary expenses such sum, not exceeding twenty-five hundred dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 13, 1946.

RESOLVE PROVIDING FOR THE ESTABLISHMENT OF A SPECIAL
COMMISSION TO STUDY THE PROBLEM OF PROVIDING BET-
TER PROTECTION ALONG THE COAST LINE OF THE COM-
MONWEALTH AGAINST LOSS OF LIFE AND PROPERTY CAUSED
BY STORMS. *Chap. 70*

Resolved, That an unpaid special commission, to consist of the members of the joint committee on harbors and public lands, the commissioner of public works and the commissioner of the metropolitan district commission, is hereby established to study the problem of providing better protection along the coast line of the commonwealth against loss of life and property caused by storms, with a view to recommending plans for permanent relief against such losses. Said commission, in the course of its study hereunder, shall consider the subject matter of current house document numbered fifteen hundred and fifty-four, relative to providing for the improvement of Provincetown harbor. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may travel within and without the commonwealth, and may expend for expert, clerical and other assistance and for expenses such sums, not exceeding, in the aggregate, five thousand dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year.

Approved June 13, 1946.

RESOLVE PROVIDING FOR A STUDY BY A JOINT BOARD CON-
SISTING OF THE DEPARTMENT OF PUBLIC HEALTH, THE
DEPARTMENT OF PUBLIC WELFARE AND THE DEPARTMENT
OF PUBLIC SAFETY RELATIVE TO THE REGULATION OF
CERTAIN HOSPITALS, SANATORIA, CONVALESCENT AND
NURSING HOMES BY THE DEPARTMENT OF PUBLIC HEALTH. *Chap. 71*

Resolved, That the department of public health, the department of public welfare and the department of public safety, acting as a joint board, are hereby authorized and directed to study the subject matter of current house document numbered nineteen hundred and twenty-two, relative to the regulation of certain hospitals, sanatoria, convalescent and nursing homes by the department of public health. Said joint board shall report its recommendations, if any, together with drafts of legislation to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Approved June 13, 1946.

Chap. 72 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE PURCHASE BY THE BOSTON METROPOLITAN DISTRICT OF THE OUTSTANDING COMMON STOCK OF THE BOSTON ELEVATED RAILWAY COMPANY, AND RELATIVE TO THE PURCHASE BY SAID DISTRICT OF THE ASSETS AND FRANCHISES OF SAID COMPANY AND THE OPERATION OF THE TRANSPORTATION SYSTEM SO PURCHASED.

Resolved, That the unpaid special commission established by chapter fifty-six of the resolves of nineteen hundred and forty-three, and revived and continued by chapter eighty-five of the resolves of nineteen hundred and forty-five, shall, in the course of its work, investigate the subject matter of current house document numbered one hundred and twenty-one, relative to the purchase by the Boston metropolitan district of the outstanding common stock of the Boston Elevated Railway Company and the subject matter of current house document numbered thirteen hundred and fifty-seven, relative to the purchase by the Boston metropolitan district of the whole assets, property and franchises of the Boston Elevated Railway Company under the existing option and for the operation of the transportation system so purchased. Said commission shall include in its final report to the general court the results of its investigation hereunder and its recommendations in relation thereto.

Approved June 13, 1946.

Chap. 73 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO PROVIDING FOR THE EXTENSION OF RAPID TRANSIT FACILITIES OF THE BOSTON ELEVATED RAILWAY COMPANY TO THE OAK ISLAND AND POINT OF PINES DISTRICT IN THE CITY OF REVERE.

Resolved, That the unpaid special commission established by chapter fifty-six of the resolves of nineteen hundred and forty-three, and revived and continued by chapter eighty-five of the resolves of nineteen hundred and forty-five, shall, in the course of its work, investigate the subject matter of current house document numbered sixteen hundred and seventy-six, relative to providing for the extension of rapid transit facilities of the Boston Elevated Railway Company to the Oak Island and Point of Pines district in the city of Revere. Said commission shall include in its final report to the general court the results of its investigation hereunder and its recommendations in relation thereto.

Approved June 13, 1946.

Chap. 74 RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION RELATIVE TO THE LAWS PERTAINING TO THE SAFETY OF PERSONS IN CERTAIN PLACES OF ASSEMBLY.

Resolved, That the unpaid special commission established by chapter sixty-seven of the resolves of nineteen hundred and forty-three and revived and continued by chapter

seventy-seven of the resolves of nineteen hundred and forty-five is hereby revived and continued for the purpose of continuing its investigation and study of the subject matter of safety in buildings, including single and two-family dwellings. Said commission in addition to the matters set forth in said resolves for investigation and study shall investigate and study the subject of the safety of persons in hospitals, sanatoria, homes for the aged, homes for the mentally ill, nursing homes and other institutions, both public and private, used and occupied, in whole or in part, for similar purposes, and also shall investigate and study the need for the regulation of the use, in buildings and structures used in whole or in part for human habitation or occupancy, of electric wiring, electrical equipment and appliances and oil burners and heating equipment. Said commission shall, in the course of its studies hereunder, consider the subject matter of current house document numbered seventeen hundred and ninety-seven, relative to providing that buildings and structures, other than the state house, owned or occupied by the commonwealth or any of its political subdivisions shall comply with certain provisions of law relating to the safety of persons in buildings. Said commission shall include in its report the results of said investigations and studies and its recommendations, together with drafts of legislation to carry the same into effect. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers; may travel within and without the commonwealth; and may expend for necessary assistance and expenses such sums, not exceeding, in the aggregate, three thousand dollars, as may hereafter be appropriated therefor. The commission shall report to the general court the results of its investigations and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday of December in the year nineteen hundred and forty-six.

Approved June 13, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY
BY A SPECIAL COMMISSION OF ADOPTION LAWS AND PRACTICES IN THE COMMONWEALTH. *Chap. 75*

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the laws and practices relating to the adoption of children throughout the commonwealth. Said commission shall be provided with quarters in the state house or elsewhere, shall hold public hearings, shall have the power to summon wit-

nesses and to require the production of books, records and papers, and the giving of testimony under oath, may travel within and without the commonwealth, and may expend for expert, clerical and other services and expenses such sums not exceeding, in the aggregate, ten thousand dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday in December, nineteen hundred and forty-seven.

Approved June 13, 1946.

Chap. 76 RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY TO BE MADE BY THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE AND STUDY CERTAIN MATTERS RELATING TO THE NON-CONTRIBUTORY RETIREMENT SYSTEMS OF THE COMMONWEALTH AND CERTAIN POLITICAL SUBDIVISIONS THEREOF.

Resolved, That the unpaid special commission established by chapter eighty-nine of the resolves of nineteen hundred and forty-five for the purpose of making an investigation and study of certain matters relating to the non-contributory retirement systems of the commonwealth and certain political subdivisions thereof shall, in the course of its work, consider the subject matter of current senate document numbered two hundred and fifty-three, relative to the retirement allowances of certain veterans of World War II in the public service, the subject matter of current senate document numbered two hundred and fifty-four, relative to the retirement of certain army and navy nurses of World War II in the public service, the subject matter of current senate document numbered two hundred and fifty-five, relative to providing that service as a member of the general court shall be counted as membership service in any retirement system of the commonwealth or of any political subdivision thereof, and the subject matter of current house document numbered thirteen hundred and ninety, relative to extending the benefits of the Massachusetts retirement system to the members of the general court and all constitutional officers.

Approved June 13, 1946.

Chap. 77 RESOLVE REVIVING AND CONTINUING THE COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO EDIBLE SHELLFISH AND SHELLFISH CHLORINATING PLANTS.

Resolved, That the unpaid special commission, established by chapter sixty-five of the resolves of nineteen hundred and forty-five, is hereby revived and continued for the purpose of continuing its investigation and study relative to shellfish in areas determined under section seventy-four of

chapter one hundred and thirty of the General Laws, or corresponding provisions of earlier laws, to be contaminated, and relative to the reclaiming of shellfish from such areas by means of purification plants. Said commission shall, in the course of its investigation and study consider the subject matter of current house document numbered sixteen hundred and fifty-nine, relative to providing for the establishment and maintenance of plants for the purification of shellfish, and the subject matter of current house document numbered sixteen hundred and sixty-one, relative to providing for the improvement of the shellfisheries of the commonwealth. Said commission shall confer with the state departments of conservation and public health relative to the matters referred to it for investigation and study hereunder, and may expend for the purposes of this resolve such sums, not exceeding, in the aggregate, five thousand dollars, as may hereafter be appropriated therefor.

Said commission shall make a supplementary report to the general court of the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 13, 1946.

RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION TO BE MADE BY THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ACQUISITION, CONSTRUCTION AND OPERATION OF AIRPORTS BY THE COMMONWEALTH AND BY CITIES AND TOWNS, THE REGULATION OF AIR TRANSPORTATION, AND CERTAIN RELATED MATTERS. *Chap. 78*

Resolved, That the unpaid special commission established by chapter eighty-seven of the resolves of nineteen hundred and forty-five, for the purpose of making an investigation and study relative to the acquisition, construction and operation of airports by the commonwealth and by cities and towns, the regulation of air transportation, and certain related matters shall, in the course of its work, consider the subject matter of so much of the governor's address, printed as current senate document numbered one, as relates to the establishment of an agency to be known as the Logan International Airport Authority with power to expand the Logan airport and with the duty to complete the construction of the projected facilities as rapidly as possible, the subject matter of current house document numbered three hundred and forty-seven, relative to providing for the acquisition by the commonwealth of the Bowles airport, so called, in the town of Agawam, and the subject matter of current house document numbered sixteen hundred and six.

Approved June 13, 1946.

Chap. 79 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO TRANSFER TO THE DEPARTMENT OF CONSERVATION CERTAIN RESERVOIRS NO LONGER REQUIRED FOR WATER SUPPLY PURPOSES, AND RELATIVE TO PROVIDING FOR THE DISCHARGE OF SURPLUS WATER INTO THE SUDBURY RIVER.

Resolved, That an unpaid special commission, to consist of three members of the senate, to be designated by the president thereof, of whom one shall be a member of the committee on conservation, one shall be a member of the committee on metropolitan affairs and one shall be a member of the committee on ways and means, and six members of the house of representatives, to be designated by the speaker thereof, of whom two shall be members of the committee on conservation, two shall be members of the committee on metropolitan affairs and two shall be members of the committee on ways and means, one member of the metropolitan district commission to be designated by the commissioner thereof, and one member of the department of conservation to be designated by the commissioner of conservation, is hereby established for the purpose of making an investigation and study relative to authorizing the metropolitan district commission to transfer to the department of conservation certain reservoirs no longer required for water supply purposes, and relative to providing for the discharge of surplus water into the Sudbury river. Said commission shall also consider the advisability of establishing rules and regulations relating to reservoirs from which surplus water is discharged into the Sudbury river. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, and may expend for necessary assistance and expenses such sums as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year.

Approved June 13, 1946.

Chap. 80 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE CONSTRUCTION AND MAINTENANCE OF A PUBLIC GOLF COURSE IN THE MIDDLESEX FELS RESERVATION.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation as to the advisability, expediency and cost of constructing, maintaining and operating an eighteen hole public golf course, including locker and service buildings and parking accommodations, on land within the Middlesex Fells reserva-

tion or adjoining the same. Said commission shall report to the general court the results of its investigation and its recommendations, if any, together with estimates of cost and drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved June 13, 1946.

RESOLVE FURTHER INCREASING THE SCOPE OF THE INVESTIGATION TO BE MADE BY THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE CERTAIN MATTERS RELATING TO PUBLIC EDUCATION.

Chap. 81

Resolved, That the unpaid special commission established by chapter eighty-eight of the resolves of nineteen hundred and forty-five for the purpose of making an investigation of certain matters relative to public education shall, in the course of its work, investigate the advisability of providing further facilities within the commonwealth for the higher education of the inhabitants thereof so that the commonwealth, which has been the leader in educational development, may take the necessary steps to remedy the lack of provision for study beyond the so-called high school courses. Said commission shall confer with officials of other states which may have provided for higher educational facilities for the purpose of obtaining such advice and information as may be helpful in making its investigation hereunder.

Approved June 13, 1946.

RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION TO BE MADE BY THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE CERTAIN MATTERS RELATING TO PUBLIC EDUCATION.

Chap. 82

Resolved, That the unpaid special commission established by chapter eighty-eight of the resolves of nineteen hundred and forty-five for the purpose of making an investigation of certain matters relative to public education shall, in the course of its work, consider the subject matter of so much of the Governor's Address, printed as current senate document numbered one, as relates to appropriations for an equitable revision of the system of state reimbursement to cities and towns for educational purposes, the subject matter of current senate document numbered two hundred and ninety, relative to changing the name of the Massachusetts State College to the University of Massachusetts, increasing the curriculum of said University and the establishment of a new board of trustees thereof, the subject matter of current house document numbered forty-four, relative to the maintenance of high schools by certain towns, the subject matter of current house document numbered three hundred and sixty-three, relative to providing for the establishment of

the University of Massachusetts, the subject matter of current house document numbered nine hundred, relative to state aid for public schools, the subject matter of current house document numbered ten hundred and forty-two, relative to increasing the amount paid annually by the state treasurer from the proceeds of the tax on incomes to enable the city of Boston to establish a single salary schedule for men and women teachers, supervisors, principals, assistant superintendents and superintendents for services in the public day schools of said city, the subject matter of current house document numbered ten hundred and eighty-eight, relative to the furtherance of public school education in this commonwealth, the subject matter of current house document numbered ten hundred and eighty-nine, relative to providing for payments by the commonwealth to cities, towns and school union districts as partial reimbursement for salary increases of school teachers thereof, the subject matter of current house document numbered ten hundred and ninety, relative to requiring that the qualifications of teachers whom school committees propose to hire shall be certified by the department of education, the subject matter of current house document numbered twelve hundred and eighty-seven, relative to establishing a medical school at the Massachusetts State College, and the subject matter of current house document numbered twelve hundred and eighty-eight, relative to establishing a law school at the Massachusetts State College. For the purposes of said chapter eighty-eight and of this resolve, said commission may expend for clerical and other services and expenses such sums, not exceeding, in the aggregate, four thousand dollars, as may hereafter be appropriated therefor, in addition to any sum heretofore appropriated.

Approved June 13, 1946.

Chap. 83 RESOLVE INCREASING THE SCOPE OF THE SURVEY AND STUDY TO BE MADE BY THE SPECIAL COMMISSION ESTABLISHED TO MAKE A SURVEY AND STUDY OF POST-WAR PROBLEMS OF THE COMMONWEALTH RELATIVE TO ECONOMIC AND OTHER CONDITIONS.

Resolved, That the unpaid special commission established by chapter eighty of the resolves of nineteen hundred and forty-five and revived and continued by chapter sixty-four of the resolves of the current year, shall, in the course of making its survey and study of the post-war problems of the commonwealth relative to economic and other conditions, consider the subject matter of current house document numbered two thousand and sixty-two, relative to providing for loans by the commonwealth to veterans.

Approved June 13, 1946.

RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION TO BE MADE BY THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION RELATIVE TO HOUSING CONDITIONS IN THE COMMONWEALTH. *Chap. 84*

Resolved, That the unpaid special commission established by chapter five of the resolves of the current year for the purpose of making an investigation relative to housing conditions in the commonwealth shall, in the course of its work, consider the subject matter of current house documents numbered nine hundred and fifty-seven, eleven hundred and forty-nine, thirteen hundred and fifty, thirteen hundred and fifty-three and fourteen hundred and twenty-three, relative to housing. For the purposes of this resolve and of said chapter five of the resolves of the current year said commission may expend for clerical and other services and expenses such sums, not exceeding, in the aggregate, seventy-five hundred dollars, as may be hereafter appropriated therefor; and the time at or before which the report of said commission shall be filed with the clerk of the house of representatives is hereby extended to January fifteenth, nineteen hundred and forty-seven.

Approved June 13, 1946.

RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE LAWS RELATING TO PARDONS AND PAROLES AND OF DEFECTIVE DELINQUENTS. *Chap. 85*

Resolved, That the special commission established by chapter twenty-one of the resolves of the current year to investigate and study the laws relating to pardons and paroles and to defective delinquents is hereby revived and authorized to continue, during the remainder of the current session of the general court and during the recess thereof, the investigation and study authorized by said resolve. Said commission may expend for clerical and other services and expenses such sums, not exceeding, in the aggregate, four thousand dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate not later than the first Wednesday of December in the current year.

Approved June 13, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PREVENTION OF CHILD DELINQUENCY, THE REHABILITATION OF DELINQUENT CHILDREN AND AS TO THE ADVISABILITY OF ESTABLISHING INSTITUTIONS FOR THE TREATMENT OF SUCH CHILDREN. *Chap. 86*

Whereas, The care, treatment and rehabilitation of underprivileged and delinquent children and the prevention of

child delinquency are among the most important problems and will become increasingly more serious in the post war period; and

Whereas, The commonwealth does not possess adequate facilities and institutions for the care, study and treatment of such children; therefore be it

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, is hereby established for the purpose of investigating and studying the advisability of establishing institutions for the care, examination, specialized study and treatment of delinquent, underprivileged and maladjusted children, and generally to investigate and study the subjects of prevention of child delinquency and rehabilitation of delinquent children.

Said commission may expend for clerical and other assistance and expenses such sums, not exceeding, in the aggregate, thirty-five hundred dollars, as may hereafter be appropriated therefor. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings, may require by summons the attendance and testimony of witnesses and the production of books and papers. The commission shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing one or more reports with the clerk of the senate at such time or times as the commission may elect; provided, that the commission shall so file its final report not later than the first Wednesday of December in the year nineteen hundred and forty-six.

Approved June 13, 1946.

Chap. 87 RESOLVE IN FAVOR OF JAMES H. KELLEY OF BOSTON.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, and after an appropriation therefor has been made, there be allowed and paid out of the state treasury to James H. Kelley of Boston, the sum of five hundred dollars to pay his hospital expenses and to compensate him for injuries sustained while crossing Tremont street at or near Ruggles street, in the Roxbury district of Boston, on January third, nineteen hundred and forty-five, by reason of the negligent operation of an automobile owned by the commonwealth and being operated by a member of the State Guard. *Approved June 13, 1946.*

Chap. 88 RESOLVE IN FAVOR OF NORMAN HUTTON, JR., OF NEEDHAM.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth and of promoting the public good, and after an appropriation has been made

therefor, there be allowed and paid out of the state treasury, in monthly installments the sum of seven hundred and fifty dollars per year, for a period of two years, to Norman Hutton, Jr., of Needham, on account of injuries sustained by him while in the performance of military duty with Troop A, First Motor Squadron, Massachusetts State Guard.

Approved June 13, 1946.

RESOLVE IN FAVOR OF T. A. PEARSON ASSOCIATES, INC.

Chap. 89

Resolved, That for the purpose of discharging a moral obligation of the commonwealth and promoting the public good, and after an appropriation therefor has been made, there shall be paid out of the state treasury to T. A. Pearson Associates, Inc. the sum of seventy-one hundred dollars, said amount representing the loss suffered by said corporation during the year nineteen hundred and thirty-eight for work done for the commonwealth in the following areas: — Monterey, New Boston, Sandisfield, Windsor and West-hampton.

Approved June 13, 1946

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO REVISING THE CHARTER OF THE CITY OF BOSTON AND SPECIAL LAWS GOVERNING SAID CITY AND THE COUNTY OF SUFFOLK.

Chap. 90

Resolved, That an unpaid special commission, to consist of two members of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, two persons to be appointed by the governor and two persons to be appointed by the mayor of the city of Boston, is hereby established for the purpose of reviewing the operation of the charter of the city of Boston and of special laws governing said city and the county of Suffolk, with a view to determining the advisability or necessity of revising said charter and special laws. Said commission may expend for clerical and other assistance and expenses such sums, not exceeding, in the aggregate, five thousand dollars, as may hereafter be appropriated therefor. Said commission shall be provided with quarters in the state house or elsewhere, may require by summons the attendance and testimony of witnesses and the production of books and papers. The commission shall report to the general court the results of its investigations and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing one or more reports with the clerk of the senate at such time or times as the commission may elect; provided, that the commission shall so file its final report not later than the first Wednesday of December, in the year nineteen hundred and forty-six.

Approved June 13, 1946.

Chap. 91 RESOLVE INCREASING THE SCOPE OF THE STUDY TO BE MADE
BY THE POST-WAR HIGHWAY COMMISSION.

Resolved, That the unpaid special commission, known as the Post-War Highway Commission, established by chapter eighty-four of the resolves of nineteen hundred and forty-five, shall, in the course of its study, consider the subject matter of so much of the Governor's Address, printed as current senate document numbered one, as relates to authorizing the metropolitan district commission to plan and construct the central traffic artery and for the transfer of funds from the Highway Fund to the metropolitan district commission for said purpose, so much thereof as relates to making available to the metropolitan district commission funds to supervise the planning and construction by the Boston Transit Commission of a second tube of the East Boston tunnel, so much thereof as relates to completion of substandard gaps between connected stretches of state highway, and so much thereof as relates to completion of such state highway projects as will form a part of a trunk line or regional route system, the subject matter of current senate documents numbered twenty-three, sixty-five, sixty-six, eighty, eighty-one, one hundred and one, one hundred and forty-eight, one hundred and seventy-six, two hundred and twenty-nine, two hundred and thirty, two hundred and sixty-nine, three hundred and fifty-five, three hundred and fifty-six and four hundred and fifty, and of current house documents numbered ninety-one, ninety-eight, one hundred and fifty-four, one hundred and seventy-seven, one hundred and seventy-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, one hundred and eighty-two, two hundred and eleven, four hundred and thirty-two, four hundred and thirty-three, five hundred and six, five hundred and thirty-seven, six hundred and seventy-seven, six hundred and seventy-eight, six hundred and eighty, six hundred and eighty-one, six hundred and eighty-two, nine hundred and eleven, nine hundred and seventeen, nine hundred and nineteen, nine hundred and twenty, nine hundred and twenty-one, ten hundred and ninety-seven, thirteen hundred, thirteen hundred and one, fourteen hundred and thirty-three, fourteen hundred and eighty-eight, fifteen hundred and three, fifteen hundred and six, sixteen hundred and twelve and seventeen hundred and two.

Approved June 14, 1946.

Chap. 92 RESOLVE IN FAVOR OF CERTAIN EMPLOYEES OF THE MASSACHUSETTS HOSPITAL SCHOOL WHO SUSTAINED PROPERTY DAMAGE RESULTING FROM A FIRE AT SAID SCHOOL.

Resolved, That, for the purpose of promoting the public good, there shall be allowed and paid out of the state treasury, subject to appropriation, to each of the persons determined by the attorney general to be entitled to compensation for

damage to property which was owned by them and used at the Massachusetts hospital school where they were employed and was destroyed on September twenty-fourth, nineteen hundred and forty-five, when a fire occurred thereat, such sum as the attorney general shall determine to be just and reasonable and as the governor and council shall approve, but not exceeding, in the aggregate, five thousand dollars.

Approved June 14, 1946.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE CAUSE AND THE ERADICATION THEREOF OF POLIOMYELITIS IN THE COMMONWEALTH.

Chap. 93

Resolved, That the department of public health is hereby authorized and directed to investigate and study the causes of the cases of poliomyelitis, commonly called infantile paralysis, in the commonwealth and the effective methods of the ending of such causes and the eradication of said disease, in order to protect the health of the people of the commonwealth. In making such investigation and study said department shall have all the powers granted to it by chapter one hundred and eleven of the General Laws. For the purpose of carrying out the provisions of this resolve, there may be expended by the department for expenses and clerical and other assistance such sums, not exceeding, in the aggregate, five thousand dollars, as may hereafter be appropriated therefor. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first day of December in the current year.

Approved June 14, 1946.

RESOLVE RELATIVE TO CERTAIN INVESTIGATIONS BY THE JUDICIAL COUNCIL CONCERNING EXCEPTIONS IN SUITS IN EQUITY AND APPEALS AND EXCEPTIONS IN PROBATE PROCEEDINGS.

Chap. 94

Resolved, That the judicial council be requested to continue the investigations requested by chapters seven and eight of the resolves of the current year, and to incorporate its conclusions and recommendations, if any, relative thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved June 14, 1946.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND FORTY-SIX.

PROPOSAL FOR A LEGISLATIVE AMENDMENT OF THE CONSTITUTION RESTRICTING THE USE OF REVENUE FROM FEES, DUTIES, EXCISE OR LICENSE TAXES RELATING TO REGISTRATION, OPERATION OR USE OF VEHICLES ON PUBLIC HIGHWAYS, OR TO FUELS USED FOR PROPELLING SUCH VEHICLES, EXCEPT REVENUE FROM AN EXCISE TAX IMPOSED IN LIEU OF LOCAL PROPERTY TAXES FOR THE PRIVILEGE OF REGISTERING SUCH VEHICLES.

A joint session of the Senate and House of Representatives hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution, if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following:

ARTICLE OF AMENDMENT.

ART. . No revenue from fees, duties, excises or license taxes relating to registration, operation or use of vehicles on public highways, or to fuels used for propelling such vehicles, shall be expended for other than cost of administration of laws providing for such revenue, making of refunds and adjustments in relation thereto, payment of highway obligations, or cost of construction, reconstruction, maintenance and repair of public highways and bridges and of the enforcement of state traffic laws; and such revenue shall be expended by the commonwealth or its counties, cities and towns for said highway purposes only and in such manner as the general court may direct; provided, that this amendment shall not apply to revenue from any excise tax imposed in lieu of local property taxes for the privilege of registering such vehicles.

IN JOINT SESSION, June 6, 1946.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

IRVING N. HAYDEN,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND FORTY-SIX.

PROPOSAL FOR A LEGISLATIVE AMENDMENT OF THE CONSTITUTION TO PROVIDE FOR THE FILLING OF VACANCIES IN CERTAIN CONSTITUTIONAL OFFICES.

A joint session of the Senate and House of Representatives hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution, if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following:

ARTICLE OF AMENDMENT.

ARTICLE . Article XVII of the amendments of the constitution, as amended, is hereby further amended by striking out, in the third sentence, the words "two persons who had the highest number of votes for said offices on the day in November aforesaid", and inserting in place thereof the words: — people at large, — so that said sentence will read as follows: — In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the meantime, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the people at large, by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council.

IN JOINT SESSION, June 6, 1946.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, the said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

IRVING N. HAYDEN,

Clerk of the Joint Session.

NUMBER OF ACTS AND RESOLVES APPROVED,
AND LIST OF ACTS VETOED BY THE GOVERNOR
AND ACTS DECLARED EMERGENCY
LAWS BY THE GOVERNOR UNDER AUTHORITY
OF THE CONSTITUTION.

The general court, during its second annual session held in 1946, passed 617 Acts and 94 Resolves, which received executive approval.

The governor returned 8 Acts with his objections thereto in writing. Upon 8 Acts his objections were sustained.

Eight (8) Acts entitled, respectively, "An Act granting to the Boston Elevated Railway Company the right to operate in the city of Boston motor vehicles for the carriage of passengers for hire over a certain route to and from the General Edward Lawrence Logan airport"; "An Act making certain changes in the laws regulating state-wide recounts of votes cast at State elections"; "An Act relative to the dates for the holding of final sessions for the registration of voters before elections, primaries and preliminary elections"; "An Act relative to the counting of ballots in cities except Boston where central counting places are provided"; "An Act prohibiting the granting of an exclusive contract, license, permit or franchise for the transportation of passengers at or on airports which are publicly owned or controlled or constructed wholly or partly with public funds"; "An Act providing for a majority vote by boards of appeal in zoning law matters"; "An Act to authorize the town of Brookline to pay a pension to M. Evelyn MacDonald Nyhen" and "An Act relative to pensions for the counsel to the senate and the counsel to the house of representatives" were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

Six (6) Acts entitled, respectively, "An Act relative to the giving of false weight or measure" (Chapter 176); "An Act to clarify the borrowing authority of fire and water districts" (Chapter 384); "An Act to amend and correct the contributory retirement law" (Chapter 403); "An Act increasing the membership of the industrial accident board" (Chapter 509); "An Act to provide for the preparation of plans for a vehicular tunnel between Boston proper and East Boston (Chapter 567) and "An Act relative to the compensation of certain officers and employees of the common-

wealth" (Chapter 591) were declared to be emergency laws by the governor in accordance with the provisions of the forty-eighth amendment to the Constitution "The Referendum. II. Emergency Measures". Said Chapter 176 thereby took effect at 1.35 P.M. on June 19, 1946; said Chapter 384 at 9.30 A.M. on June 7, 1946; said Chapter 403 at 9.30 A.M. on June 20, 1946; said Chapter 509 at 1.35 P.M. on June 19, 1946; said Chapter 567 at 4 P.M. on July 12, 1946 and said Chapter 591 at 11.40 A.M. on July 10, 1946.

The general court was prorogued on Saturday, June 15, 1946, at twelve minutes before six o'clock A.M., the session having occupied 165 days.

APPENDIX

The following table and indexes have been prepared by FERNALD HUTCHINS, Esq., and HENRY D. WIGGIN, Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws, as amended.

TABLE

SHOWING

TO WHAT EXTENT THE GENERAL LAWS OF THE COMMONWEALTH, AS APPEARING IN THE TERCENTENARY EDITION, HAVE BEEN AFFECTED BY LEGISLATION ENACTED BY THE GENERAL COURT SINCE JANUARY FIRST, NINETEEN HUNDRED AND THIRTY-TWO.* †

Chapter 1. — Jurisdiction of the Commonwealth and of the United States.

SECT. 3 revised, 1933, 278 § 1.

Chapter 2. — Arms, Great Seal and Other Emblems of the Commonwealth.

SECT. 8 added, 1941, 121 (designating the American elm as the state tree).

SECT. 9 added, 1941, 121 (designating the Chickadee as the state bird).

Chapter 3. — The General Court.

SECT. 1 revised, 1946, 130 § 1.

SECT. 5 amended, 1937, 364 § 1; 1939, 508 § 1.

SECT. 6 revised, 1937, 364 § 2; amended, 1939, 424 § 1; repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 6A added, 1939, 424 § 2 (imposing restrictions on the granting of authority to use the designation of junior college); repealed, 1943, 549 § 2. (See 1939, 424 § 3.)

SECT. 7 revised, 1937, 364 § 3; first sentence amended, 1943, 549 § 2A.

SECT. 9 revised, 1937, 236 § 1; 1941, 307 § 1; amended, 1941, 600 § 1; revised, 1945, 38 § 1. (See 1941, 307 § 2; 1941, 600 § 2.)

SECT. 9 stricken out and sections 9 and 9A (relative to payment of allowances for travel and other expenses to members of the general court) inserted, 1945, 248 § 1. (See 1945, 248 §§ 4, 5.)

SECT. 10 amended, 1945, 38 § 2; revised, 1945, 248 § 2. (See 1945, 248 §§ 4, 5.)

SECT. 11 repealed, 1937, 236 § 2.

SECT. 12 revised, 1937, 360 § 1; 1943, 260 § 1. (See 1937, 360 §§ 3-5; 1943, 260 § 3.)

* For table showing changes in legislation made during the years 1921 to 1931, inclusive, see Table of Changes contained in pages 485-597 of the Acts and Resolves of 1932.

† References in this table are to the Tercentenary Edition of the General Laws, as most recently amended, unless otherwise specified.

SECT. 13 revised, 1937, 360 § 2; amended, 1941, 230; revised, 1943, 260 § 2. (See 1937, 360 §§ 3-5; 1943, 260 § 3.)

SECT. 15 revised, 1945, 421 § 1. (See 1945, 421 § 5.)

SECT. 18 amended, 1941, 433 § 1; 1943, 104; revised, 1945, 421 § 2. (See 1941, 433 § 4; 1945, 421 § 5.)

SECT. 19 amended, 1935, 210.

SECT. 20 revised, 1939, 508 § 2; amended, 1941, 433 § 2; 1945, 38 § 3; 421 § 4; revised, 1945, 488 § 1. (See 1941, 433 § 4; 1945, 421 § 5; 488 §§ 2, 3.)

SECT. 20A added, 1937, 189 (relative to the purchase of uniforms for the sergeant-at-arms, doorkeepers, assistant doorkeepers, general court officers and pages of the general court).

SECT. 21 revised, 1945, 421 § 3. (See 1945, 421 § 5.)

SECT. 22 amended, 1939, 508 § 3.

SECT. 23 revised, 1941, 347.

SECT. 46 amended, 1939, 508 § 4.

SECT. 47 amended, 1939, 508 § 5.

SECT. 49 amended, 1939, 508 § 6.

SECT. 51 amended, 1939, 508 § 7.

SECT. 53 revised, 1939, 376 § 1. (See 1939, 376 § 2.)

Chapter 4. — Statutes.

SECT. 5 revised, 1935, 69.

SECT. 7, clause Ninth revised, 1941, 509 § 1; 1945, 242 § 1; 637 § 1; clause Eighteenth amended, 1934, 283; 1935, 26; 1936, 180; 1937, 38; 1938, 245; 1941, 91 § 1; 1946, 190. (See 1941, 509 § 9; 1945, 279.)

SECT. 10. Affected, 1942, 5.

Chapter 5. — Printing and Distribution of Laws and Public Documents.

As to the distribution of the Tercentenary Edition of the General Laws, see 1941, Resolve 19.

SECT. 1, last paragraph revised, 1932, 254; two paragraphs added at end, 1937, 373; section revised, 1938, 419; amended, 1941, 428; first paragraph amended, 1945, 580 § 1. (See 1945, 580 § 9.)

SECT. 2, paragraphs (4) and (6) revised, 1939, 508 § 8; 1945, 252.

SECT. 3, paragraphs in twelfth to forty-second lines, amended, 1938, 196; 1941, 351 § 1.

SECT. 6 amended, 1939, 508 § 9; revised, 1943, 344 § 1; amended, 1945, 580 § 2. (See 1945, 580 § 9.)

SECT. 8 amended, 1945, 580 § 3. (See 1945, 580 § 9.)

SECT. 9 amended, 1933, 245 § 1; 1946, 209 § 1.

SECT. 10 revised, 1939, 508 § 10; first paragraph amended, 1945, 38 § 4.

SECT. 11, paragraph in thirteenth line revised, 1941, 329; paragraph in lines 14-31 stricken out, and two paragraphs inserted, 1945, 538.

SECT. 18 amended, 1935, 226 § 1; revised, 1943, 313; amended, 1946, 466.

Chapter 6. — The Governor, Lieutenant Governor and Council, Certain Officers under the Governor and Council, and State Library.

For temporary legislation establishing an emergency finance board and defining its powers and duties, see 1933, 49.

For temporary legislation establishing the emergency public works commission, and defining its powers and duties, see 1933, 365, as affected by 1933, 368; term extended, 1935, 380; 1937, 338; 1938, 20, 501 § 3; 1941, 720 § 16; 1943, 517 § 3.

SECT. 1 amended, 1946, 591 § 1.

SECT. 2 amended, 1946, 591, § 2.

SECT. 3 amended, 1943, 314 § 1. (See 1943, 314 § 2.)

SECT. 8 amended, 1941, 722 § 1; revised, 1943, 348 § 1.

SECT. 12B added, 1932, 14 (relative to the observance of the anniversary of the death of Brigadier General Casimir Pulaski).

SECT. 12C added, 1932, 153 (relative to the observance of the anniversary of the battle of Bunker Hill). (See 1941, 91.)

SECT. 12D added, 1932, 242 (relative to the observance of the anniversary of the Boston Massacre, etc.).

SECT. 12E added, 1934, 191 (relative to the observance of the anniversary of the death of Commodore John Barry).

SECT. 12F added, 1935, 23 (relative to the observance of the anniversary of the battle of New Orleans); amended, 1938, 49.

SECT. 12G added, 1935, 96 (providing for an annual proclamation by the governor relative to American Education Week).

SECT. 12H added, 1935, 148 (relative to the observance of the anniversary of the death of General Marquis de Lafayette).

SECT. 12I added, 1935, 184 (relative to the annual observance of Indian Day); revised, 1939, 56.

SECT. 12J added, 1938, 22 (relative to the annual observance of April nineteenth as Patriots' Day).

SECT. 12K added, 1938, 80 (relative to the annual observance of Evacuation Day, so called).

SECT. 12L added, 1941, 387 (relative to the annual observance of Veteran Firemen's Muster Day).

SECT. 15 amended, 1946, 201.

SECT. 16 amended, 1941, 490 § 1.

SECT. 17 amended, 1932, 305 § 1; 1933, 120 § 1, 336 § 1; 1934, 374 § 1; 1935, 475 § 1; revised, 1939, 393 § 1; amended, 1945, 393 § 1; revised, 1945, 619 § 1; amended, 1946, 368 § 2; revised, 1946, 612 § 1. (See 1933, 336 § 3.)

SECT. 18 and heading stricken out and new section inserted, under heading "ARMORY COMMISSION", 1937, 300 § 1; sentence added at end, 1941, 19. (See 1937, 300 § 2.)

SECT. 22 amended, 1936, 341 § 1; heading and section amended, 1943, 455 § 1; 1945, 393 § 2; paragraph added at end, 1946, 584 § 18; section amended, 1946, 591 § 3. (See 1936, 341 § 2; 1946, 584 § 22.)

SECT. 24 amended, 1941, 596 § 1; 1943, 455 § 2; 1945, 393 § 3.

SECT. 25 revised, 1945, 730 § 2.

SECT. 28 amended, 1938, 18.

SECT. 28A amended, 1934, 208 § 1; 1945, 393 § 4.

SECT. 28E added, 1934, 208 § 2 (relative to the dissemination of information concerning the public bequest fund).

SECT. 31 revised, 1943, 479.

SECT. 32, paragraph added at end, 1937, 227; same paragraph revised, 1938, 473 § 1; same paragraph revised, 1943, 43.

SECT. 42 added, under caption "MILK REGULATION BOARD", 1932, 305 § 2; revised, 1946, 496.

SECTS. 43-45 added, 1933, 120 § 2 (relative to the alcoholic beverages control commission).

SECT. 43 amended, 1933, 375 § 1.

SECT. 44, first paragraph revised, 1933, 376 § 1.

SECT. 45 revised, 1941, 596 § 2.

SECTS. 46 and 47 added, 1933, 336 § 2 (relative to the Greylock reservation commission). (See 1933, 336 § 3.)

SECT. 48 added, under caption "STATE RACING COMMISSION", 1934, 374 § 2; last paragraph revised, 1941, 596 § 3.

SECTS. 49-52 added, under caption "STATE PLANNING BOARD", 1935, 475 § 2.

SECT. 49 amended, 1936, 307; 1939, 451 § 1; revised, 1941, 466 § 5. (See 1941, 466 §§ 1-4, 7A, 8.)

SECT. 50A added, 1941, 466 § 7 (relative to the powers and duties of the state planning board formerly exercised by the metropolitan planning division). (See 1941, 466 §§ 1-4, 7A, 8.)

SECTS. 53-55 added, 1945, 619 § 2 (establishing a Port of Boston Authority). (See 1945, 619 §§ 4-11.)

SECT. 56 added, 1946, 368 § 3 (establishing the Massachusetts Fair Employment Practice Commission).

SECTS. 57-59 added, 1946, 583 § 1 (relative to the Massachusetts Aeronautics Commission). (See G. L. 90 §§ 36-38, repealed by 1946, 583 § 2. See also 1946, 583 § 4.)

SECT. 60 added, 1946, 612 § 2 (establishing the Outdoor Advertising Authority). (See 1946, 612 §§ 5, 6.)

Chapter 7. — Commission on Administration and Finance.

SECT. 3 amended, 1946, 591 § 4.

SECT. 6A added, 1941, 433 § 3 (providing for the appointment of the postmaster and assistant postmaster of the central mailing room by the Commission on Administration and Finance). (See 1941, 433 § 4.)

SECT. 7 amended, 1945, 457.

SECT. 22, clause (17) revised, 1933, 353 § 1.

SECT. 23A added, 1933, 353 § 2 (providing a preference in the purchase of supplies and materials by contractors for certain state work in favor of domestic supplies and materials).

SECT. 25A added, 1943, 344 § 2 (authorizing the state purchasing agent to regulate purchases of supplies and transfers thereof from one state agency to another).

SECT. 26 amended, 1939, 451 § 2.

SECT. 29 amended, 1945, 580 § 4. (See 1945, 580 § 9.)

SECT. 33 revised, 1939, 499 § 1; 1945, 292 § 1.

Chapter 8. — State Superintendent of Buildings, and State House.

SECTS. 1-12 affected, 1935, 327; 1941, 627 § 3.

SECT. 1 revised, 1938, 249 § 1. (See 1938, 249 § 6.)

SECT. 4 amended, 1935, 251; revised, 1937, 84 § 1; 1938, 249 § 2. (See 1937, 84 § 2; 1938, 249 § 6.)

SECT. 5 revised, 1935, 460 § 1; amended, 1938, 387 § 1; 1946, 591 § 5. (See 1935, 460 § 2; 1938, 387 § 2.)

SECT. 9 amended, 1938, 249 § 3. (See 1938, 249 § 6.)

SECT. 10 amended, 1938, 249 § 4; 1943, 440 § 1. (See 1938, 249 § 6.)

SECT. 10A revised, 1933, 170; 1941, 267; amended, 1943, 440 § 2; revised, 1945, 706; sentence added at end, 1946, 585.

SECT. 12 revised, 1938, 249 § 5. (See 1938, 249 § 6.)

SECT. 17 amended, 1932, 188 § 1; 1933, 199 § 1.

SECT. 18 amended, 1932, 188 § 2; 1933, 199 § 2.

Chapter 9. — Department of the State Secretary.

SECT. 1 amended, 1946, 591 § 6.

SECT. 2 revised, 1935, 416; 1939, 283; 1941, 587.

SECT. 6 amended, 1934, 25 § 1.

SECT. 7 amended, 1934, 25 § 2; 1939, 342 § 1.

SECT. 9 amended, 1934, 127.

SECT. 15 amended, 1934, 19.

SECT. 17 amended, 1934, 37; revised, 1936, 31 § 1.

SECT. 20 added, 1935, 402 (regulating the publication and sale of the Massachusetts Reports and of the advance sheets of the opinions and decisions of the Supreme Judicial Court); revised, 1943, 426.

SECTS. 21-25 added, under the caption "COMMISSION ON INTERSTATE CO-OPERATION", 1937, 404 § 1 (establishing a commission on interstate co-operation as successor to the commission on interstate compacts affecting labor and industries and defining its powers and duties, and providing for a commission required to be established under an interstate compact on the minimum wage). (See 1937, 404 §§ 2, 3.)

SECT. 21 amended, 1941, 394 § 1.

SECT. 23 amended, 1941, 394 § 2.

SECT. 25 repealed, 1943, 255 § 2. (See 1943, 255 § 3.)

Chapter 10. — Department of the State Treasurer.

For temporary legislation establishing an emergency finance board, and defining its powers and duties, see 1933, 49.

For temporary legislation establishing the emergency public works commission, and defining its powers and duties, see 1933, 365, as affected by 1933, 368; 1939, 417, 418; term extended, 1935, 380; 1937, 338; 1938, 20, 501 § 3; 1941, 720 § 16; 1943, 517 § 3.

SECT. 1 amended, 1946, 591 § 7.

SECT. 5, first sentence revised, 1941, 596 § 4; 1945, 489.

SECT. 8 amended, 1932, 180 § 1; revised, 1943, 427 § 1.

SECT. 11 revised, 1939, 499 § 2; amended, 1945, 292 § 2.

SECT. 17 amended, 1941, 194 § 1.

SECT. 17A added, 1943, 362 § 2 (providing for the receipt and disposal, by the state treasurer, of certain gifts made to the commonwealth for military purposes).

SECT. 18 revised, 1945, 658 § 2. (See 1945, 658 § 11.)

SECT. 19 revised, 1945, 658 § 3. (See 1945, 658 § 11.)

Chapter 11. — Department of the State Auditor.

SECT. 1 amended, 1946, 591 § 8.

SECT. 2, first sentence revised, 1941, 596 § 5.

SECT. 5 revised, 1946, 591 § 9.

Chapter 12. — Department of the Attorney General, and the District Attorneys.

SECT. 1 amended, 1946, 591 § 10.

SECT. 2 amended, 1934, 133 § 1; revised, 1941, 647 § 2. (See 1934, 133 § 2.)

SECT. 3, last sentence amended, 1932, 180 § 2; section amended, 1943, 83 § 1.

SECT. 3B amended, 1933, 318 § 1; 1934, 291 § 1; paragraph inserted after first paragraph, 1943, 409 § 3. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 11 amended, 1939, 499 § 3; 1945, 292 § 3.

SECT. 14, paragraph in lines 5 and 6 revised, 1935, 209; paragraph in lines 7 and 8 revised, 1935, 433 § 1; section revised, 1935, 458 § 1; next to last paragraph revised, 1941, 470 § 1.

SECT. 15 revised, 1935, 458 § 2; paragraph in line 8 revised, 1937, 279 § 1.

SECT. 16, paragraph in lines 9–11 revised, 1935, 433 § 2; section revised, 1935, 458 § 3; paragraph in lines 23 and 24 revised, 1937, 279 § 2; next to last paragraph revised, 1941, 470 § 2.

SECT. 25 amended, 1937, 64 § 1.

Chapter 13. — Department of Civil Service and Registration.

SECT. 1 revised, 1939, 238 § 1. (See 1939, 238 §§ 52–55.)

SECT. 2 revised, 1939, 238 § 2; first paragraph amended, 1945, 681 § 1; second paragraph amended, 1946, 591 § 11; paragraph inserted after second paragraph, 1941, 403. (See 1939, 238 §§ 52–55; 1945, 681 § 2.)

SECT. 2A added, 1939, 238 § 3 (relative to the appointment and compensation of civil service commissioners); fourth sentence revised, 1941, 457; same sentence amended, 1945, 725 § 6; section revised, 1946, 591 § 12. (See 1939, 238 §§ 52–55.)

SECT. 3 amended, 1932, 180 § 3; revised, 1939, 238 § 4. (See 1939, 238 §§ 52–55.)

SECT. 4 revised, 1939, 238 § 5.

SECT. 5 revised, 1939, 238 § 6.

SECT. 6 revised, 1939, 238 § 7.

SECT. 8 amended, 1934, 329; 1946, 591 § 13.

SECT. 9A added, 1945, 376 (authorizing the director of registration to make certain rules and regulations governing the conduct of examinations by the several boards of registration and examination).

SECT. 10 amended, 1932, 8; 1939, 36.

SECT. 11 amended, 1937, 379.

SECT. 12 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECTS. 12A–12C added, under the heading “BOARD OF REGISTRATION IN CHIROPODY (PODIATRY)”, 1937, 425 § 1. (See 1937, 425 §§ 14, 15.)

SECTS. 13–15 and the heading before section 13 stricken out and new sections 13–15D added under heading “BOARD OF REGISTRATION IN NURSING”, 1941, 620 § 2. (See 1941, 620 §§ 1, 4–12.)

SECT. 17 revised, 1934, 339 § 1.

SECT. 20 revised, 1946, 550 § 1.

SECT. 25 revised, 1941, 596 § 6.

SECT. 29 and its caption stricken out and new section inserted, under the caption "BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING", 1936, 407 § 1. (See 1936, 407 §§ 5-8.)

SECT. 31 revised, 1936, 407 § 2; 1946, 591 § 14. (See 1936, 407 §§ 5-8.)

SECT. 32 revised, 1935, 420 § 1; amended, 1939, 238 § 8. (See 1935, 420 § 2.)

SECT. 36, first sentence revised, 1945, 517 § 1; second paragraph revised, 1941, 596 § 7. (See 1945, 517 § 2.)

SECT. 39 amended, 1941, 385 § 1. (See 1941, 385 § 2.)

SECT. 40 amended, 1933, 149 § 1; two sentences added at end, 1934, 299 § 1. (See 1934, 299 § 2.)

SECT. 41 amended, 1938, 337 § 1; 1946, 591 § 15. (See 1938, 337 § 2.)

SECTS. 42-44 added, under caption "BOARD OF REGISTRATION OF HAIRDRESSERS", 1935, 428 § 1. (See 1935, 428 §§ 5, 7.)

SECT. 43 amended, 1937, 385 § 1.

SECT. 44 amended, 1946, 591 § 16.

SECTS. 44A-44D added, under caption "BOARD OF REGISTRATION OF ARCHITECTS", 1941, 696 § 1. (See 1941, 696 §§ 3, 4.)

SECTS. 45-47 added, under caption "BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND OF LAND SURVEYORS", 1941, 643 § 1. (See 1941, 643 §§ 3-5.)

SECT. 47 amended, 1941, 722 § 1A.

Chapter 14. — Department of Corporations and Taxation.

SECT. 2 amended, 1943, 316; 1946, 591 § 17.

SECT. 4 revised, 1941, 596 § 8.

Chapter 15. — Department of Education.

SECT. 2 amended, 1946, 591 § 18.

SECT. 2A added, 1946, 531 (providing for a deputy commissioner of education, and establishing his powers and duties).

SECT. 3 amended, 1941, 138.

SECT. 3A added, 1943, 549 § 1 (establishing a board of collegiate authority in the department of education).

SECT. 4 revised, 1939, 409 § 2. (See 1939, 409 §§ 1, 5.)

SECT. 5 revised, 1941, 596 § 9.

SECT. 6A amended, 1938, 446 § 13; revised, 1941, 531; 1946, 552 § 1. (See 1938, 446 § 14.)

SECT. 6B added, 1941, 676 § 1 (relative to the supervisor of guidance and placement). (See 1941, 646.)

SECT. 12 revised, 1935, 367; 1939, 409 § 3. (See 1939, 409 §§ 1, 5.)

SECT. 16 revised, 1945, 658 § 4. (See 1945, 658 § 11.)

SECT. 17 revised, 1945, 658 § 5. (See 1945, 658 § 11.)

SECT. 18 revised, 1945, 658 § 6. (See 1945, 658 § 11.)

SECT. 19 amended, 1942, 1 § 2; revised, 1946, 257 § 7. (See 1942, 1 § 9.)

SECT. 21, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 8.

SECT. 22. Caption preceding section changed, 1942, 1 § 3; section amended 1942, 1 § 4. (See 1942, 1 § 9.)

Chapter 16. — Department of Public Works.

SECT. 2 amended, 1946, 591 § 19.

SECT. 5 revised, 1941, 596 § 10; two sentences added at end, 1945, 308; section revised, 1946, 234 § 1. (See 1946, 234 § 2.)

SECT. 5A added, 1938, 407 § 1 (establishing a division of waterways in the department of public works); amended, 1946, 591 § 20. (See 1941, 695 § 14; 1946, 582 § 5.)

SECT. 6 amended, 1935, 418 § 1; 1939, 393 § 2; 1945, 241 § 2. (See 1939, 393 § 5; 1945, 241 § 3.)

Chapter 17. — Department of Public Health.

SECT. 2 amended, 1946, 591 § 21.

SECT. 3 revised, 1939, 233 § 1; amended, 1946, 591 § 22. (See 1939, 233 §§ 2, 3.)

SECT. 4 revised, 1941, 596 § 11; 725 § 1. (See 1941, 725 §§ 4-6.)

SECT. 6 revised, 1941, 725 § 2. (See 1941, 725 §§ 4-6.)

SECT. 7 revised, 1941, 725 § 3. (See 1941, 725 §§ 4-6.)

Chapter 18. — Department of Public Welfare.

SECT. 2 amended, 1946, 591 § 23.

SECT. 7 amended, 1935, 311 § 1; revised, 1941, 596 § 12.

SECT. 8 revised, 1941, 351 § 2.

SECT. 9 revised, 1941, 596 § 13.

SECT. 11 repealed, 1945, 336 § 1.

SECT. 15 amended, 1945, 336 § 2.

SECTS. 17 and 18 added, under caption "STATE BOARD OF HOUSING", 1933, 364 § 1 (establishing within the department a state board of housing).

SECT. 17 amended, 1935, 449 § 1; 1938, 485 § 1. (See 1938, 485 § 2.)

SECT. 18 amended, 1935, 449 § 1A; first sentence revised, 1941, 596 § 14.

Chapter 19. — Department of Mental Health (former title, Department of Mental Diseases).

SECT. 1 revised, 1938, 486 § 2; 1939, 511 § 1. (See 1938, 486 §§ 1, 21, 22; 1939, 511 § 3.)

SECT. 2 revised, 1938, 486 § 3; 1939, 511 § 2; 1946, 591 § 24. (See 1938, 486 §§ 21, 22; 1939, 511 § 3.)

SECT. 3 repealed, 1938, 486 § 4.

SECT. 4 revised, 1938, 486 § 5. (See 1938, 486 §§ 21, 22.)

SECT. 4A amended, 1938, 486 § 6. (See 1938, 486 §§ 21, 22.)

SECT. 5 amended, 1935, 314 § 2, 421 § 3. (See 1935, 421 §§ 5, 6.)

Chapter 20. — Department of Agriculture.

SECT. 2 amended, 1946, 591 § 25.

SECT. 4 amended, 1933, 74 § 1; revised, 1934, 340 § 1; amended, 1941, 490 § 2; revised, 1941, 596 § 15; amended, 1943, 447. (See 1934, 340 § 18.)

SECT. 6 added, 1934, 340 § 2 (experts and assistants in division of livestock disease control). (See 1934, 340 § 18.)

SECTS. 7-9 added, under caption "DIVISION OF MILK CONTROL", 1941, 691 § 1. (See 1941, 691 §§ 3-6.)

SECT. 7 revised, 1945, 497 § 1. (See 1945, 497 § 2.)

(For prior temporary legislation, see 1934, 376; 1936, 300; 1938, 334; 1939, 413; 1941, 418 § 1; 631 § 1.)

Chapter 21. — Department of Conservation.

SECT. 1 amended, 1934, 340 § 3; revised, 1939, 491 § 1. (See 1934, 340 § 18; 1939, 491 § 12.)

SECT. 2 amended, 1946, 591 § 26.

SECT. 3 revised, 1933, 75 § 1; amended, 1934, 340 § 4; revised, 1939, 491 § 2. (See 1934, 340 § 18; 1939, 491 § 12.)

SECTS. 3A and 3B repealed, 1932, 180 § 4.

SECT. 4 revised, 1939, 491 § 3; amended, 1946, 591 § 27. (See 1939, 491 § 12.)

SECT. 6 revised, 1939, 491 § 4; amended, 1946, 591 § 28. (See 1939, 491 § 12.)

SECT. 6A inserted, 1941, 599 § 3 (establishing a bureau of law enforcement in the division of fisheries and game). (See 1941, 599 § 4A.)

SECT. 7 revised, 1933, 329 § 3; 1937, 413 § 1. (See 1937, 413 §§ 3, 4.)

SECT. 7A added, 1934, 173 § 1 (establishing the office of state ornithologist in the division of fisheries and game); revised, 1939, 491 § 5. (See 1934, 173 § 2; 1939, 491 § 12.)

SECTS. 7B and 7C added, 1939, 491 § 6 (relative to the division of wildlife research and management). (See 1939, 491 § 12.)

SECT. 7B amended, 1946, 591 § 29.

SECT. 8 repealed, 1939, 491 § 7. (See 1939, 491 § 12.)

SECT. 8A revised, 1933, 329 § 4. Section stricken out and new sections 8A-8C added, 1939, 491 § 8. (See 1939, 491 § 12.)

SECT. 8A amended, 1946, 591 § 30.

SECTS. 8B-8C stricken out and new sections 8B-8D inserted, 1941, 598 § 6. (See 1941, 598 §§ 8, 9.)

SECTS. 9 and 10 repealed, 1934, 340 § 5. (See 1934, 340 § 18.)

SECT. 11 revised, 1933, 75 § 2; section and its caption stricken out and new section inserted under the caption "DIVISION OF PARKS AND RECREATION", 1939, 491 § 9; section amended, 1946, 343; revised, 1946, 591 § 31. (See 1939, 491 § 12.)

SECT. 12 revised, 1933, 75 § 3; amended, 1941, 490 § 3.

Chapter 22. — Department of Public Safety.

SECT. 2 amended, 1946, 591 § 32.

SECT. 4 revised, 1946, 591 § 33.

SECT. 7B added, 1945, 631 (relative to payment of compensation for injuries or death of officers or inspectors of the department of public safety performing police services).

SECT. 9A, sentence added at end, 1939, 503 § 4; same sentence revised, 1943, 175. (See 1939, 503 § 5.)

SECT. 9B amended, 1939, 508 § 11.

SECT. 9C added, 1933, 239 (relative to the uniform of members of the state police).

SECT. 9D added, 1945, 694 (relative to time off for certain members of the division of state police).

SECT. 11 revised, 1945, 643 § 1. (See 1945, 643 § 3.)

SECT. 13 added, 1943, 544 § 1 (establishing within the department of public safety, a board of standards and appeals); revised, 1945, 645 § 1; first two sentences revised, 1945, 722 § 3; 1946, 522. (See 1943, 544, § 7; 1945, 645 §§ 5, 6; 722 § 4.)

SECT. 14 added, 1945, 710 § 1 (establishing within the department of public safety a board of fire prevention regulations). (See 1945, 710 § 18.)

Chapter 23. — Department of Labor and Industries.

SECT. 2 revised, 1943, 321; 1946, 591 § 34.

SECT. 3 amended, 1934, 331 § 1; two sentences revised, 1935, 479 § 1; section amended, 1941, 490 § 4. (See 1935, 479 § 7.)

SECT. 4 amended, 1934, 331 § 2; 1935, 479 § 2; first two sentences amended, 1939, 261 § 1; section amended, 1941, 490 § 5; first two sentences revised, 1941, 596 § 16; same two sentences revised, 1941, 707 § 1. (See 1939, 261 § 25.)

SECT. 5 amended, 1935, 479 § 3. (See 1935, 479 § 7.)

SECT. 8 amended, 1939, 261 § 2. (See 1939, 261 § 25.)

SECT. 9 revised, 1935, 60 § 1.

SECT. 9A revised, 1932, 99; repealed, 1933, 73.

SECT. 9B repealed, 1933, 73.

SECT. 9C revised, 1932, 187; repealed, 1933, 73.

SECT. 9D repealed, 1939, 261 § 3.

SECT. 9E amended, 1941, 490 § 6.

SECT. 9G amended, 1939, 459 § 2. (See 1939, 459 § 3.)

SECT. 9H revised, 1933, 362; 1939, 261 § 4.

SECTS. 9I-9N added, 1935, 479 § 4 (establishing the Unemployment Compensation Commission, and defining its powers and duties); same sections revised and the powers and duties of the commission conferred and imposed upon the director of the division of unemployment compensation, 1939, 20 § 1; name of said division changed to division of employment security, 1941, 685 § 4. (See 1935, 479 §§ 6, 7; 1939, 20 §§ 6, 7, 8, 9.)

SECT. 9I, paragraph (a) revised, 1941, 685 § 4; 709 § 4; paragraph (b) revised, 1941, 596 § 17; 1946, 591 § 35. (See 1941, 685 § 6; 709 §§ 1-3.)

SECT. 9K, first sentence revised, 1941, 709 § 5. (See 1941, 709 §§ 1-3.)

SECT. 9L amended, 1941, 709 § 6.

SECT. 9N, paragraph (b) revised, 1941, 611 § 1; section revised, 1941, 685 § 5; paragraph (b) amended, 1946, 591 § 36. (See 1941, 611 §§ 2, 3, 685 § 6.)

SECTS. 9O-9R added, under the caption "LABOR RELATIONS COMMISSION", 1938, 345 § 1 (incorporating the provisions of 1937, 436 relative to the labor relations commission as an addition to the general laws). (See 1938, 345 §§ 3, 4.)

SECT. 11A (and caption) added, 1934, 331 § 3 (division of occupational hygiene).

SECTS. 11B-11D added, under the caption "THE MASSACHUSETTS DEVELOPMENT AND INDUSTRIAL COMMISSION", 1937, 427 (establishing the Massachusetts development and industrial commission for the promotion and development of the industrial, agricultural and recreational resources of the commonwealth).

SECT. 11C revised, 1941, 596 § 17A.

SECTS. 11E-11L added, under the caption "DIVISION OF APPRENTICE TRAINING", 1941, 707 § 2. (For prior temporary legislation see 1938, 448; 1939, 471.)

Chapter 24. — Department of Industrial Accidents.

SECT. 2 amended, 1946, 509 § 1; 591 § 37. (See 1946, 509 § 2.)

SECT. 3B added, 1945, 60 (establishing a division of self-insurance in the department of industrial accidents, and defining its powers and duties).

Chapter 25. — Department of Public Utilities.

SECT. 2 amended, 1946, 591 § 38.

SECT. 4 revised, 1938, 221.

SECT. 8A added, 1939, 442 § 2 (authorizing the appointment of employees for the administration and enforcement of the sale of securities law).

SECT. 9A added, 1933, 76 § 2 (providing for certain employees serving directly under the commission of the department to perform its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 2.

SECT. 10 amended, 1933, 76 § 3; 1934, 352 § 3; 1939, 442 § 3.

SECT. 10A added, 1933, 76 § 4 (providing for the apportionment of expenses incurred by the department in the performance of its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 4.

SECTS. 11 and 12 repealed, 1935, 411 § 1. (See 1935, 411 § 2.)

SECT. 12A revised, 1938, 445 § 1; repealed, 1939, 442 § 1.

SECT. 12B revised, 1932, 290 § 2; repealed, 1939, 442 § 1.

SECTS. 12C-12F repealed, 1933, 76 § 1; new sections 12C-12E added, under caption "DIVISION OF SMOKE INSPECTION", 1934, 352 § 1.

SECT. 12C revised, 1941, 596 § 18.

SECT. 12F added, 1935, 405 § 1 (establishing in the department a commercial motor vehicle division, under the charge of a director thereof); phrase added at end, 1935, 477 § 2; section amended, 1939, 335 § 1; revised, 1941, 596 § 19; new sentence added at end, 1941, 653 § 1. (See 1939, 335 § 2.)

SECT. 12G added, 1936, 117 (authorizing the director of the commercial motor vehicle division in the department of public utilities to summon witnesses, administer oaths and take testimony).

Chapter 26. — Department of Banking and Insurance.

For temporary legislation providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

SECT. 2 amended, 1943, 315; 1946, 591 § 39.

SECT. 3 revised, 1941, 596 § 20.

SECT. 4 revised, 1941, 596 § 21.

SECT. 6 amended, 1943, 317; 1946, 591 § 40.

SECT. 8A revised, 1934, 2; amended, 1935, 419.

SECT. 10, sentence added at end, 1943, 346.

Chapter 27. — Department of Correction.

SECT. 1 amended, 1946, 591 § 41.

SECT. 2 revised, 1939, 90; 1941, 596 § 22.

SECT. 4 repealed, 1941, 690 § 7.

SECT. 5 revised, 1934, 350 § 1; 1937, 399 § 1. (See 1934, 350 §§ 2-4; 1937, 399 §§ 3-6.)

SECT. 5A added, 1941, 690 § 6 (relative to the employment of agents and employees of the parole board to perform duties in connection with the release of prisoners); last sentence stricken out, 1945, 449 § 1. (See 1941, 690 §§ 8, 10.)

Chapter 28. — Metropolitan District Commission.

SECT. 2 amended, 1946, 591 § 42.

SECT. 3 revised, 1936, 244 § 1; 1941, 596 § 23. (See 1936, 244 § 4.)

SECT. 4 amended, 1936, 244 § 2. (See 1936, 244 § 4.)

SECTS. 5 and 6 repealed, 1941, 466 § 6.

Chapter 29. — State Finance.

For temporary legislation as to emergency state financing, see 1933, 49, 104, 307, 341, 365, 367, 368; 1934, 41, 66, 313, 335; 1935, 221, 300, 380, 392, 456; 1936, 309; 1937, 338; 1938, 20, 57, 481, 501 § 3; 1939, 288, 417, 418, 496; 1941, 129; 1943, 413; 1945, 324.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325; 712; 1946, 615.

SECT. 1, paragraph added at end, 1939, 502 § 1; same paragraph revised, 1941, 509 § 2; same paragraph stricken out, 1945, 242 § 2. (See 1941, 509 § 9.)

SECT. 3 revised, 1939, 502 § 2; amended, 1945, 242 § 3.

SECT. 4 amended, 1939, 502 § 3; 1945, 242 § 4.

SECT. 5 revised, 1939, 502 § 4; 1941, 656 § 2; 1945, 242 § 5; 637 § 2. (See 1941, 656 § 17; 1945, 279.)

SECT. 5A amended, 1939, 502 § 5; 1945, 242 § 6.

SECT. 6 amended, 1937, 426 § 1; revised, 1939, 502 § 6; amended, 1941, 490 § 7; 656 § 3; revised, 1945, 242 § 7; fifth sentence revised, 1945, 548 § 2. (See 1937, 426 § 2; 1941, 656 § 17; 1945, 548 § 3.)

SECT. 8A added, 1939, 427 (relative to competitive bidding on state contracts); revised, 1941, 547 § 1.

SECT. 9A revised, 1939, 502 § 7; amended, 1941, 656 § 4; 1945, 242 § 8. (See 1941, 656 § 17.)

SECT. 9B added, 1941, 564 § 1 (providing for the allotment of certain appropriations by the governor). (See 1941, 564 § 2.)

SECT. 10 amended, 1936, 256; revised, 1939, 502 § 8; 1941, 656 § 5; amended, 1945, 242 § 9; repealed, 1945, 637 § 3. (See 1941, 656 § 17; 1945, 279.)

SECT. 11 amended, 1939, 502 § 9; 1941, 656 § 6; repealed, 1945, 242 § 10. (See 1941, 656 § 17.)

SECT. 12 amended, 1939, 502 § 10; revised, 1945, 242 § 11; 637 § 4. (See 1945, 279.)

SECT. 14 revised, 1939, 502 § 11; 1945, 242 § 12.

SECT. 18, last sentence revised, 1945, 248 § 3. (See 1945, 248 §§ 4, 5.)

SECT. 20A added, 1937, 407 (relative to public inspection of certain orders and claims, in advance of approval or rejection thereof, in connection with state contracts).

SECT. 25 amended, 1941, 656 § 7. (See 1941, 656 § 17.)

SECT. 26 revised, 1939, 502 § 12; amended, 1941, 656 § 8; 1945, 242 § 13. (See 1941, 656 § 17.)

SECT. 27 amended, 1937, 359; revised, 1939, 502 § 13; amended, 1941, 656 § 9. (See 1941, 656 § 17.)

SECT. 29 amended, 1939, 502 § 14; 1943, 345.

SECT. 31, last sentence amended, 1932, 127 § 2; section amended, 1941, 508; last sentence amended, 1945, 545; section revised, 1945, 635 § 1; 1946, 580 § 1. (See 1946, 580 § 3.)

SECT. 31A added, 1946, 520 (providing for payment of accumulated vacation allowances of state employees upon death or separation from service).

SECT. 31B added, 1946, 580 § 2 (providing that teachers in certain state institutions may be paid weekly).

SECT. 34 amended, 1936, 333; affected, 1946, 608 § 3.

SECT. 38, subdivision (h) added, 1934, 356; first paragraph amended, 1945, 658 § 7. (See 1945, 658 § 11.)

SECT. 47 stricken out and sections 47, 47A inserted, 1945, 637 § 5. (See 1945, 279.)

SECT. 48A added, 1937, 252 (authorizing the use of facsimile signatures of the governor on certain bonds and notes of the commonwealth); amended, 1946, 128.

SECT. 50 revised, 1939, 502 § 15; 1941, 656 § 10; 1945, 242 § 14. (See 1941, 656 § 17.)

SECT. 62 repealed, 1943, 83 § 2.

SECT. 63 added, 1937, 157 (providing for taxpayers' petitions for enforcement of certain provisions of law relative to state finance).

Chapter 30. — General Provisions Relative to State Departments, Commissions, Officers and Employees.

Provisions relative to expenses incurred for certain meals by state employees, 1933, 174 § 8; 1934, 162 § 6; 1935, 249 § 7; 1936, 304 § 7; 1937, 234 § 6; 1938, 356 § 5; 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to the purchase of passenger automobiles, 1939, 309 § 4; 1941, 419 § 4; 1943, 68 § 4; 370 § 4.

Provisions relative to expenses incurred by state employees in the operation of motor vehicles, 1939, 309 § 5; 1941, 419 § 5; 1943, 68 § 5; 370 § 5; 1945, 404 § 5; 682 § 4; 1946, 309 § 5; 617 § 5.

For legislation relative to commencement of terms of certain state officers, see 1939, 304.

SECT. 7 revised, 1937, 414 § 1; amended, 1941, 512.

SECT. 9A added, 1946, 269 (regulating the separation from the service of the commonwealth of certain war veterans holding unclassified offices or positions).

SECT. 9B added, 1946, 524 (protecting certain officers and employees of the commonwealth against arbitrary removal).

SECT. 24 revised, 1937, 430; 1945, 508; 1946, 408.

SECT. 24A added, 1945, 565 (relative to compensation for state employees who are required to work on state-wide legal holidays); amended, 1946, 411.

SECT. 28 revised, 1941, 656 § 11. (See 1941, 656 § 17.)

SECT. 30A amended, 1945, 580 § 5.

SECT. 32 revised, 1939, 499 § 4; 1945, 292 § 4.

SECT. 32A added, 1939, 499 § 4A (relative to the force and effect of rules and regulations included in annual reports); repealed, 1945, 292 § 5.

SECT. 33 revised, 1939, 499 § 5; 1945, 292 § 6.

SECT. 33A amended, 1939, 499 § 6; 1945, 292 § 7.

SECT. 35 amended, 1945, 580 § 6. (See 1945, 580 § 9.)

SECT. 39 revised, 1934, 351; amended, 1935, 217 § 1; revised, 1935, 472 § 1.

SECT. 42 revised, 1936, 359; amended, 1941, 450 § 1.

SECT. 44B added, 1941, 678 § 1 (relative to pipe lines for conveying petroleum and its products and by-products).

SECT. 47, last sentence revised, 1941, 656 § 12; same sentence stricken out, 1945, 637 § 6. (See 1941, 656 § 17; 1945, 279.)

SECTS. 53-57 added, 1945, 485 (providing for the prompt disposition of certain grievances of state employees relating to their employment).

Chapter 31. — Civil Service.

For temporary legislation protecting the civil service rights of certain persons in the military or naval service of the United States, see 1941, 708; 1943, 172, 338, 548; 1945, 610; 1946, 61, 62, 238, 271 §§ 1-4.

For temporary legislation relative to transfers of civil service employees during the present emergency, see 1943, 492.

SECT. 1, definitions contained in fourth to eighth lines revised, 1939, 238 § 9; revised, 1945, 703 § 1. (See 1939, 238 §§ 52-55.)

SECT. 2 revised, 1939, 238 § 10; 1945, 725 § 1.

SECT. 2A added, 1939, 238 § 11 (relative to the duties of the director of civil service); clause (b) revised, 1939, 506 § 1; clause (e) revised, 1941, 402 § 2; clause (c) amended, 1941, 721; section revised, 1945, 725 § 2. (See 1939, 238 §§ 52-55.)

SECT. 3, clause (g) added, 1937, 223 (giving preference to blind persons in the employment of typists in certain cases by state departments, boards and commissions); section amended, 1939, 238 § 12; revised, 1939, 498 § 1; clause (a) revised, 1941, 190; section revised, 1945, 702. (See 1939, 238 §§ 51-55.)

SECT. 4, fourth paragraph amended, 1938, 72; paragraph in line 19 stricken out and new paragraph inserted, 1941, 49; sixth paragraph revised, 1932, 282 § 1; section amended, 1939, 238 § 13; paragraph

added at end, 1939, 256 § 1; paragraphs added at end by 1941, 625 § 1, 1941, 627 § 1 and 1941, 686 § 2, respectively; paragraphs added at end by 1943, 246 § 1 and 1943, 402 § 1, respectively; section revised, 1945, 701 § 4. (See 1932, 282 § 4; 1943, 246 § 2; 402 § 2.)

SECT. 5 amended, 1935, 405 § 2; 1936, 244 § 3; 1939, 238 § 14; revised, 1941, 402 § 3; amended, 1945, 355; 701 § 4A.

SECT. 5A added, 1937, 414 § 2 (relative to the employment by certain municipal officers of persons to serve in a confidential capacity).

SECT. 6, sentence added at end, 1932, 260; section amended, 1939, 238 § 15.

SECT. 6A added, 1935, 228 (dispensing with educational requirements as a condition of taking certain civil service examinations).

SECT. 7 revised, 1939, 397.

SECT. 8 amended, 1939, 238 § 16; revised, 1939, 396; 1945, 703 § 3.

SECT. 10 revised, 1939, 238 § 17; 1939, 498 § 2; last sentence stricken out and five sentences inserted, 1945, 703 § 4.

SECT. 12 amended, 1939, 238 § 18; revised, 1945, 704 § 1; amended, 1946, 271 § 5.

SECT. 12A added, 1945, 704 § 2 (providing procedure for reviewing markings on civil service examination papers).

SECT. 13 amended, 1938, 174 § 2; revised, 1945, 703 § 5.

SECT. 13A amended, 1939, 238 § 19; revised, 1945, 725 § 3.

SECT. 14 amended, 1939, 238 § 20; repealed, 1945, 725 § 5.

SECT. 15 revised, 1939, 238 § 21; 1939, 506 § 2; 1941, 491; second paragraph revised, 1945, 704 § 3; last paragraph stricken out and three paragraphs inserted, 1945, 704 § 4; section revised, 1946, 103.

SECT. 15A added, 1933, 267 (restricting the appointment of persons for temporary employment under the civil service laws); amended, 1934, 105; repealed, 1943, 523.

SECT. 15B added, 1943, 520 (authorizing certain promotions from the labor service to the official service of a department, board or commission under the civil service laws); amended, 1946, 52.

SECTS. 15C and 15D added, 1945, 704 § 5 (requiring lists of civil service officers and employees to be filed annually with the director of civil service and establishing the method of determining seniority).

SECT. 15C amended, 1946, 53.

SECT. 15E added, 1946, 540 (providing that injuries received by persons employed in a provisional capacity shall not disqualify them for permanent employment under the civil service laws).

SECT. 16A added, 1939, 506 § 3 (relative to transfers under the civil service laws); revised, 1945, 703 § 6.

SECT. 17 amended, 1934, 94; revised, 1939, 76; amended, 1939, 238 § 22.

SECT. 18 amended, 1939, 238 § 23; revised, 1945, 703 § 9.

SECT. 18A added, 1941, 627 § 4 (positions in the labor service of the department of public works to be classified by districts); sentence added at end, 1945, 389.

SECT. 19A added, 1932, 146 (relative to appointments to the regular fire forces in certain cities having reserve fire forces); amended, 1939, 238 § 24; revised, 1941, 38; amended, 1943, 530.

SECT. 20 amended, 1939, 238 § 25; revised, 1939, 419 § 3; 1945, 704 § 6.

SECT. 20A amended, 1939, 238 § 26; revised, 1941, 39.

SECT. 20B added, 1937, 416 § 3 (providing for appointments to the regular police force of the metropolitan district commission from the list of members of the reserve police force); amended, 1939, 238 § 27; repealed, 1939, 441 § 2. (See 1937, 416 § 5; repealed, 1939, 441 § 3.)

SECT. 20C added, 1941, 621 (relative to appointments to the regular police force in certain cities and towns).

SECT. 20D added, 1945, 703 § 2 (relative to the serving of probationary periods in offices and positions subject to civil service).

SECT. 21 amended, 1932, 89; revised, 1933, 137; amended, 1939, 238 § 28; 1943, 194, 469; 1946, 216.

SECT. 22 amended, 1939, 238 § 29; paragraph added at end, 1946, 345.

SECT. 22A added, 1946, 221 (making certain veterans eligible for examinations and appointment to police and fire departments notwithstanding certain age requirements).

SECT. 23 amended, 1939, 238 § 30.

SECT. 24 amended, 1939, 238 § 31.

SECT. 25 amended, 1939, 238 § 32; 1946, 145.

SECT. 29 amended, 1939, 238 § 33; revised, 1945, 725 § 4.

SECT. 30 amended, 1939, 238 § 34; repealed, 1945, 725 § 5.

SECT. 31 amended, 1939, 238 § 35; revised, 1939, 422 § 1.

SECT. 31A added, 1939, 422 § 2 (relative to the making of reports by department heads pertaining to civil service employees).

SECT. 31B added, 1941, 165 § 1 (relative to the preparation and keeping of rosters of positions in the classified civil service and incumbents thereof in connection with the payment of salaries or compensation). (See 1941, 165 § 2.)

SECT. 32 amended, 1939, 238 § 36; revised, 1939, 420 § 1.

SECT. 32A added, 1939, 420 § 2 (providing that records and files relating to civil service employees be public records); repealed, 1945, 703 § 10.

SECT. 33 amended, 1939, 238 § 37; revised, 1939, 420 § 3.

SECT. 34 amended, 1939, 238 § 38; revised, 1939, 420 § 4.

SECT. 35 repealed, 1941, 559.

SECT. 36 amended, 1939, 238 § 39; revised, 1945, 701 § 1.

SECT. 37 amended, 1939, 238 § 40.

SECT. 38 amended, 1939, 238 § 41; revised, 1939, 422 § 3.

SECT. 39 amended, 1939, 238 § 42.

SECT. 40 amended, 1939, 238 § 43; repealed, 1945, 703 § 10.

SECT. 42 amended, 1939, 238 § 44.

SECT. 42A repealed, 1945, 667 § 4.

SECT. 42B repealed, 1945, 667 § 4.

SECT. 43 revised, 1945, 667 § 1; paragraph (f) revised, 1946, 379.

SECT. 45 amended, 1934, 249 § 2; revised, 1945, 667 § 2.

SECT. 45A added, 1934, 190 (providing a method of avoiding multiplicity of petitions for judicial review to determine seniority rights in the classified labor service); amended, 1941, 166.

SECT. 45B added, 1941, 135 (requiring clerks of district courts to furnish certain information to the director of civil service); amended, 1945, 667 § 3.

SECT. 46 amended, 1932, 282 § 2; revised, 1934, 249 § 1; amended, 1941, 257; repealed, 1945, 667 § 4.

SECT. 46B amended, 1939, 238 § 45; repealed, 1945, 667 § 4.

SECTS. 46C and 46D added, 1933, 320 (providing for the reinstatement of certain municipal officers and employees).

SECT. 46C amended, 1934, 84; 1936, 66; revised, 1938, 297 § 1; amended, 1939, 238 § 46; revised, 1945, 704 § 8.

SECT. 46D repealed, 1945, 704 § 7.

SECT. 46E added, 1934, 207 (providing that a leave of absence of less than six months shall not be deemed a separation from the classified civil service in certain cases); first paragraph revised, 1945, 703 § 7; paragraph added at end, 1936, 297; same paragraph amended, 1939, 238 § 47; 1941, 136.

SECT. 46F added, 1935, 337 (providing for the reinstatement of members of the police force of the metropolitan district commission in certain cases); amended, 1939, 238 § 48; repealed, 1945, 704 § 7.

SECT. 46G added, 1935, 408 (relative to seniority rights in respect to the suspension and re-employment of persons in the classified civil service in certain cases); revised, 1938, 297 § 2; 1945, 704 § 9.

SECT. 46H added, 1936, 287 § 1 (providing for the reinstatement in the classified civil service of retired municipal officers and employees in certain cases of invalid retirement); amended, 1939, 238 § 49.

SECT. 46I added, 1945, 703 § 8 (providing for the establishment of re-employment lists of persons separated from the official or labor service otherwise than by resignation or discharge); amended, 1946, 60.

SECT. 46J added, 1946, 288 (relative to the right of civil service employees to petition the general court and to appear before committees thereof).

SECT. 47 revised, 1945, 701 § 2.

SECT. 47A added, 1941, 195 (providing that certain employees in the classified public service shall not be subject to a probationary period); revised, 1945, 701 § 3; second paragraph amended, 1946, 59.

SECT. 47B added, 1941, 290 (relative to the classification and establishment of seniority of certain civil service employees); revised, 1945, 701 § 5.

SECTS. 47C and 47D added, 1941, 402 § 1 (establishing a merit system, substantially similar to the civil service system, for certain officers and employees of local boards of public welfare). (See 1941, 402 §§ 4-9.)

SECT. 47C amended, 1941, 588 § 1. (See 1941, 588 § 3.)

SECT. 48 revised, 1945, 701 § 6.

SECT. 49 repealed, 1945, 701 § 7.

SECT. 49A added, 1939, 183 (authorizing cities and towns to place certain offices under the civil service laws by vote of the voters thereof); revised, 1941, 414; revised, 1945, 701 § 8.

Chapter 32. — Retirement Systems and Pensions.

For temporary legislation protecting the retirement rights of certain persons in the military or naval service of the United States, see 1941, 708; 1943, 172, 419, 548; 1945, 455, 610, 699.

For legislation relative to the temporary re-employment of former officers and employees of the commonwealth or of any political subdivision thereof during the continuance of the existing state of war between the United States and any foreign country, see 1942, 16; 1943, 502; 1946, 55, 306.

SECT. 1, new paragraph added, 1934, 360 § 1. (See 1934, 360 § 5; 1937, 271.)

SECT. 2, paragraphs (10) and (11) revised, 1935, 390.

SECT. 3, paragraph (4) revised, 1932, 268.

SECT. 4, sentence added at end of paragraph (2) *A* (c), 1934, 360 § 2; paragraph (3) amended, 1936, 370 § 1. (See 1934, 360 § 5; 1936, 370 § 2; 1937, 271.)

SECT. 5, paragraph added at end of paragraph (2) *C* (c), 1934, 360 § 3; paragraph *H* added at end, 1934, 360 § 4. (See 1934, 360 § 5; 1937, 271.)

Sects. 1-5, as amended, stricken out and sixteen new sections 1-5A inserted, 1938, 439 § 1. (See 1938, 439 §§ 6, 7; 1939, 16 §§ 1, 2.)

The following references to sections 1 to 5A apply to sections inserted by 1938, 439 § 1:

SECT. 1, definition of "Member" revised, 1941, 379 § 1.

SECT. 2, paragraph (5) amended, 1941, 194 § 3; paragraph (14) amended, 1939, 503 § 1; subparagraph entitled "*Group 1*" of paragraph (14) amended, 1945, 630; paragraph (15) stricken out and new paragraphs (14A) and (15) inserted, 1939, 503 § 2; paragraph (16) amended, 1939, 433. (See 1939, 503 § 5.)

SECT. 4, paragraph (1) (a) amended, 1941, 670 § 1.

SECT. 4F, paragraph (1) revised, 1941, 379 § 2, 722 § 2; paragraph (2) revised, 1941, 722 § 3; paragraph (4) revised, 1941, 379 § 3.

SECT. 4H, paragraph added at end, 1941, 379 § 4.

SECT. 5A, paragraph (3) (a) amended, 1939, 451 § 3; paragraph (8) revised, 1939, 508 § 12; 1945, 38 § 5.

SECT. 6, definition of "Teacher" amended, 1937, 232 § 1; same definition revised, 1938, 444 § 1; paragraph defining "Salary" inserted, 1941, 671 § 1. (See 1941, 671 §§ 2, 3.)

SECT. 7, first sentence of paragraph (3) revised, 1937, 232 § 2; same paragraph amended, 1938, 385; paragraph (4) amended, 1932, 127 § 18; paragraph (5) added, 1937, 232 § 3; paragraph (6) added, 1938, 444 § 2. (See 1937, 232 § 4.)

SECT. 9, paragraph (1) amended, 1939, 508 § 13; paragraph (2) revised, 1937, 438 § 1; amended, 1939, 508 § 14; revised, 1943, 498; last sentence amended, 1945, 38 § 6; paragraph (5) added at end, 1937, 302; paragraph (6) added, 1938, 444 § 3. (See 1939, 508 § 17.)

SECT. 10, paragraph (2) revised, 1932, 255; paragraph (4) amended, 1937, 438 § 2; paragraph (8) amended, 1936, 386 § 1; paragraph (10) amended, 1936, 386 § 2; revised, 1937, 438 § 3; paragraphs (11) and (12) stricken out, 1937, 438 § 4; paragraph (17) amended, 1938, 444 § 4; paragraph (19) revised, 1938, 444 § 5; paragraph (20) added, 1938, 444 § 6.

SECT. 11, paragraph (1) revised, 1943, 337 § 1; paragraph (2) stricken out, 1943, 337 § 2; paragraph (5) revised, 1936, 400 § 2. (See 1943, 337 § 3.)

SECT. 16, paragraph (2) revised, 1939, 508 § 15; 1945, 292 § 8.

SECT. 19, second paragraph revised, 1939, 451 § 4.

SECT. 20,* paragraph added, 1934, 258 § 1.

SECT. 23,* paragraph (5) revised, 1934, 258 § 2.

SECT. 24,* paragraph (2) *A* amended, 1935, 243.

SECT. 25,* paragraph (2) *A* (b) revised, 1936, 301 § 1; paragraph (2) *B* (b) revised, 1936, 301 § 2; paragraph (*F*) added at end, 1936, 301 § 3.

* See later amendments to sections 20 to 25, inclusive.

SECTS. 20-25, as amended, and the heading before said section 20, stricken out and new sections 20-25I inserted, under heading "COUNTY AND CERTAIN HOSPITAL DISTRICT RETIREMENT SYSTEMS", 1936, 400 § 1 (providing for contributory retirement systems for counties and certain hospital districts). (See 1936, 400 § 5; 1937, 336 § 3.)

The following references to sections 20-25I apply to sections inserted by 1936, 400 § 1:

SECT. 20, definitions of "Employee" and of "Regular interest" revised, 1937, 336 § 1; definition of "Employee" revised, 1938, 217, 464 § 3; definition of "Member" revised, 1941, 379 § 5.

SECT. 21, paragraph (1) (a), revised, 1939, 158 § 1; 1941, 670 § 2; paragraphs (1) (b), (1) (c) and (1) (d) revised, 1937, 336 § 2; paragraph (1) (e) revised, 1941, 670 § 3; paragraph (f) added at end of subdivision (1), 1939, 158 § 2; stricken out, 1941, 670 § 3A; subdivision (2) revised, 1941, 335; subdivision (3) amended, 1941, 670 § 4. (See 1937, 336 § 3.)

SECT. 22, paragraph (5) amended, 1937, 336 § 4; 1941, 670 § 5.

SECT. 23, paragraph added at end of subdivision (1), 1937, 336 § 5.

SECT. 24, subdivision (1) amended, 1941, 670 § 6; subdivision (3) inserted after subdivision (2) (c), 1943, 425 § 1.

SECT. 25, paragraph (1) amended, 1941, 670 § 7; first clause of paragraph (2) revised, 1937, 336 § 6.

SECT. 25B, revised, 1941, 379 § 6.

SECT. 25D, revised, 1941, 379 § 7.

SECT. 25F, paragraph (6) amended, 1937, 336 § 7.

SECT. 25G, paragraph (1) (a) amended, 1937, 336 § 8; paragraph (1) (d) amended, 1937, 336 § 9.

SECT. 25H, paragraph (1) revised, 1941, 113 § 2.

SECT. 25I, last paragraph revised, 1937, 336 § 10.

Sects. 26-31 stricken out and new sections 26-31I inserted, 1936, 318 § 1 (providing for contributory retirement systems for cities and towns that may be accepted by them). (See 1936, 318 §§ 5-7.)

The following references to sections 26 to 31I are to sections inserted by 1936, 318 § 1:

SECT. 26, definitions of "Employee" and of "Regular interest" revised, 1937, 336 § 11; definition of "Employee" revised, 1938, 464 § 4; 1941, 411 § 1; definition of "Member" revised, 1941, 379 § 8. (See 1941, 411 § 3.)

SECT. 27, paragraph (1) (a) revised, 1938, 360 § 1; 1941, 670 § 8; paragraph (1) (b) revised, 1937, 336 § 12; last sentence revised, 1938, 360 § 2; paragraph (1) (c) revised, 1937, 336 § 12; paragraph (1) (d) revised, 1937, 336 § 12; last sentence revised, 1938, 360 § 3; paragraph (1) (e) revised, 1938, 360 § 4; 1941, 670 § 9; paragraph (1) (f) added, 1938, 360 § 5; paragraph (1) (g) added, 1941, 670 § 10; paragraph (2) revised, 1939, 228; amended, 1941, 670 § 11; paragraph (3) amended, 1941, 670 § 12.

SECT. 28, paragraph (2) revised, 1941, 670 § 12A; paragraph (5) amended, 1937, 336 § 13; 1941, 670 § 13.

SECT. 29, subdivision (1) amended, 1941, 670 § 14; second paragraph of subdivision (1) stricken out and two paragraphs inserted, 1937, 336 § 14; second of said inserted paragraphs amended, 1941, 670 § 15; paragraph added after second of said inserted paragraphs, 1941, 670 § 16; paragraph (2) (b) revised, 1938, 360 § 6; paragraph (2) (c) amended, 1938, 270; paragraph (2) (d) amended, 1937, 336 § 15; sec-

ond sentence revised, 1938, 360 § 7; paragraph (2) (e) revised, 1938, 360 § 8; paragraph (2) (g) added, 1941, 409 § 1.

SECT. 30, subdivision (1) amended, 1941, 670 § 17; subdivision (3) inserted after subdivision (2) (c), 1943, 425 § 2.

SECT. 31, subdivision (1) amended, 1941, 670 § 18; first paragraph of subdivision (2) revised, 1937, 336 § 16; paragraph added at end of subdivision (2), 1941, 670 § 19.

SECT. 31B revised, 1941, 379 § 9; sentence added at end, 1941, 670 § 20.

SECT. 31D revised, 1941, 379 § 10.

SECT. 31E, paragraph (4) added at end, 1941, 409 § 2.

SECT. 31F, paragraph (1) (b) amended, 1937, 57 § 1; paragraph 1A added, 1937, 57 § 2; paragraph (1) (c) revised, 1938, 284 § 1, 464 § 5; paragraph (2) revised, 1938, 464 § 6. (See 1937, 57 § 4; 1938, 284 § 2.)

SECT. 31G, paragraph (1) (a) revised, 1941, 411 § 2; paragraph (1) (d) amended, 1937, 336 § 17; paragraph (6) (a) revised, 1938, 360 § 9; paragraph (6) (b) amended, 1938, 360 § 10. (See 1941, 411 § 3.)

SECT. 31H, paragraph (1) revised, 1941, 113 § 1.

SECT. 31I, paragraph (3) amended, 1937, 57 § 3; paragraph (4) added, 1941, 377; paragraph (4) added, 1941, 386; paragraph last referred to stricken out and paragraph (5) substituted, 1941, 722 § 4; paragraph (4) (b) revised, 1943, 236 § 1. (See 1937, 57 § 4; 1943, 236 § 2.)

SECT. 31J inserted after the heading "GENERAL PROVISIONS" immediately before section 32, 1936, 400 § 3 (relative to the definition of certain words used in said General Provisions).

SECT. 33 amended, 1936, 301 § 4; 318 § 2; repealed, 1936, 400 § 4. (See 1936, 318 §§ 5-7; 400 §§ 2 and 5.)

SECT. 34, second paragraph revised, 1941, 584 § 1.

SECT. 34A added, 1941, 584 § 2 (relative to the expense incurred by the commissioner of insurance in examining the affairs of certain retirement systems).

SECT. 36 amended, 1937, 336 § 18.

SECTS. 37A-37D added, 1936, 318 § 3 (miscellaneous provisions relative to contributory retirement systems under G. L. chap. 32). (See 1936, 318 §§ 5-7.)

SECT. 37C, paragraph added at end, 1938, 360 § 10A; section revised, 1938, 439 § 2. (See 1938, 360 § 10B; 439 § 7.)

SECT. 37D, first paragraph revised, 1937, 336 § 19; first paragraph stricken out, and two paragraphs inserted, 1939, 449 § 1; paragraph added at end, 1938, 464 § 1. (See 1939, 449 § 2.)

SECT. 37E added, 1937, 336 § 20 (providing minimum retirement allowances for certain members of county, city or town contributory retirement systems); paragraph (1) revised, 1941, 184 § 1; paragraph (2) revised, 1938, 360 § 11; paragraph (3) added at end, 1938, 439 § 3; paragraph (4) added at end, 1941, 670 § 21; paragraph (5) added at end, 1943, 189. (See 1938, 439 § 7; 1941, 184 § 2.)

SECT. 37F added, 1938, 464 § 2 (permitting members of certain contributory retirement systems of governmental units to make contributions on account of prior service with other such units having no such systems); revised, 1939, 316; 1941, 670 § 22.

SECT. 37G added, 1941, 670 § 23 (relative to the rights of employees of two or more governmental units having retirement systems).

SECT. 38 amended, 1937, 336 § 21.

SECT. 38A added, 1938, 439 § 4 (relative to the definitions of certain terms or words used in sections thirty-two to thirty-eight, inclusive). (See 1938, 439 § 7.)

Sects. 1-38A, as amended, stricken out and twenty-eight new sections, 1-28, inserted, 1945, 658 § 1. (See 1945, 658 §§ 9-11.)

The following references to sections 1 to 28 apply to sections inserted by 1945, 658 § 1.

SECT. 3, subdivision (2), definition of *Group B* in paragraph (g), amended, 1946, 403 § 1; subdivision (3A) added, 1946, 538 § 1; subdivision (4) revised, 1946, 403 § 2; 492; subdivision (5) amended, 1946, 481; revised, 603 § 1; subdivision (6), paragraph (d) revised, 1946, 403 § 3.

SECT. 4, subdivision (1), paragraph (i) added, 1946, 493 § 1; paragraph (j) added, 1946, 538 § 2; subdivision (2), paragraph (b) revised, 1946, 403 § 4; paragraph (c) revised, 1946, 403 § 5. (See 1946, 493 § 2.)

SECT. 5, subdivision (2), paragraph (a), clause (ii) revised, 1946, 403 § 6; clause (iv) added, 1946, 538 § 3.

SECT. 6, subdivision (3), paragraph (a), amended, 1946, 603 § 2.

SECT. 12, subdivision (2), option (c), two sentences inserted after first sentence, 1946, 403 § 7.

SECT. 20, subdivision (3), paragraph (d) revised, 1946, 267.

SECT. 21, subdivision (2) amended, 1946, 432 § 3.

SECT. 28, subdivision (2), paragraph (a) revised, 1946, 166 § 1; paragraph (f) added, 1946, 166 § 2; paragraph (g) added, 1946, 403 § 8; paragraph (h) added, 1946, 603 § 3; subdivision (3), paragraph (a) revised, 1946, 166 § 3; last sentence amended, 1946, 403 § 9.

SECT. 28A added, 1945, 720 § 1 (relative to the retirement of certain officers in the division of state police); paragraph added at end, 1946, 373 § 1. (See 1945, 720 § 2; 1946, 373 § 2.)

SECT. 28B added, 1946, 605 (relative to the retirement of state detectives and inspectors in the division of state police).

SECT. 43 amended, 1945, 707.

SECT. 44 revised, 1934, 135; paragraph added at end, 1934, 285 § 1; section amended, 1936, 223; last paragraph amended, 1937, 102 § 1. (See 1937, 202.)

SECT. 45 revised, 1945, 483 § 1.

SECT. 45A added, 1945, 708 § 1 (relative to retirement allowances of school janitors in certain cities and towns). (See 1945, 708 § 2.)

SECT. 46 revised, 1941, 344 § 1.

SECT. 47 amended, 1941, 344 § 2.

SECT. 48 revised, 1938, 379.

SECT. 52 amended, 1932, 114 § 1.

SECT. 53 amended, 1932, 114 § 2.

SECT. 56 revised, 1943, 514 § 1; paragraph added at end, 1945, 677. (See 1943, 514 § 4.)

SECT. 57 revised, 1943, 514 § 2. (See 1943, 514 § 4.)

SECT. 57A added, 1945, 658 § 8 (making certain provisions of the contributory pension laws applicable to the retirement of veterans under veterans' non-contributory pension laws).

SECT. 58 revised, 1943, 514 § 3. (See 1943, 514 § 4.)

SECT. 58A added, 1945, 671 (further regulating the creditable service

of certain veterans in the public service upon their retirement therefrom).

SECT. 60, paragraph added at end, 1934, 285 § 2; same paragraph amended, 1937, 102 § 2; 1938, 452 § 1; section revised, 1945, 483 § 2; 678. (See 1938, 452 § 2.)

SECT. 60A, paragraph added at end, 1934, 285 § 3; amended, 1937, 102 § 3; revised, 1945, 483 § 3.

SECTS. 61-64 repealed, 1937, 409 § 2. (See 1937, 409 §§ 5-7.)

SECT. 65, last sentence stricken out, 1937, 336 § 22; section repealed, 1937, 409 § 2. (See 1937, 409 §§ 5-7.)

SECT. 65A added, 1937, 409 § 1 (relative to the retirement or resignation of members of the judiciary); amended, 1939, 451 § 5; sentence added at end, 1946, 525. (See 1937, 409 §§ 5-7.)

SECT. 65B added, 1941, 689 § 1 (providing pensions for special justices of district courts); revised, 1943, 398. (See 1941, 689 § 2.)

SECT. 66, paragraph added at end, 1934, 285 § 4; amended, 1937, 102 § 4.

SECT. 68 revised, 1943, 545 § 1; 1945, 322.

SECTS. 68A-68C added, 1939, 503 § 3 (relative to the retirement of members of the state police). (See 1939, 503 § 5.)

SECT. 68C revised, 1943, 545 § 2.

SECTS. 68A-68C stricken out, 1945, 658 § 1. (See 1945, 658 § 11.)

SECT. 69 revised, 1946, 576 § 1.

SECT. 70, paragraph added at end, 1934, 285 § 5; amended, 1937, 102 § 5; section revised, 1937, 416 § 4; repealed, 1939, 441 § 4. (See 1937, 416 § 5; 1939, 441 §§ 3, 5.)

SECT. 75, paragraph added at end, 1934, 285 § 6; amended, 1937, 102 § 6; section revised, 1938, 323 § 1.

SECT. 76 revised, 1938, 323 § 2.

SECT. 77, paragraph (a) revised, 1936, 290 § 1; 1939, 243; paragraph (b) amended, 1945, 483 § 3A; paragraph (c) added at end, 1936, 290 § 2; amended, 1945, 483 § 3B. (Affected, 1937, 102 § 7, 283.)

SECT. 78 revised, 1939, 361 § 1; amended, 1945, 483 § 4. (Affected, 1937, 102 § 7, 283; 1939, 361 § 2.)

SECT. 78A added, 1934, 285 § 7 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for laborers); amended, 1937, 102 § 7; revised, 1937, 283 § 1. (See 1937, 283 § 2.)

SECT. 80, paragraph added at end, 1934, 285 § 8; section amended, 1936, 439 § 1; last paragraph amended, 1937, 102 § 8; section amended, 1945, 483 § 5.

SECT. 81 amended, 1933, 103; 1938, 277 § 1. (See 1938, 277 § 3.)

SECTS. 81A and 81B added, 1946, 576 § 2 (additional provisions for the retirement of members of fire departments in certain cities). (See 1946, 576 § 8.)

SECT. 83 amended, 1936, 439 § 2; 1938, 277 § 2; last sentence of first paragraph revised, 1939, 264 § 1; section amended, 1945, 483 § 6. (See 1938, 277 § 3; 1939, 264 § 2.)

SECT. 83A added, 1946, 576 § 3 (additional provisions for the retirement of members of police departments in certain cities). (See 1946, 576 § 8.)

SECT. 84 amended, 1945, 483 § 7.

SECT. 85, first sentence amended, 1945, 483 § 8; second sentence revised, 1936, 439 § 3.

SECT. 85A revised, 1935, 31 § 1; amended, 1945, 483 § 9; revised, 1946, 576 § 4. (See 1935, 31 § 2.)

SECT. 85B added, 1932, 253 (regulating the retirement and pensioning of certain members of the police forces of park boards of cities and towns); amended, 1945, 483 § 10.

SECT. 85C added, 1934, 285 § 9 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for policemen and firemen); amended, 1937, 102 § 9.

SECT. 85D added, 1937, 220 (relative to the retirement of certain call members of fire departments in certain towns); amended, 1945, 483 § 11; revised, 1946, 576 § 5.

SECT. 85E added, 1946, 576 § 6 (additional provisions for the retirement of members of police and fire departments in certain towns). (See 1946, 576 § 8.)

SECT. 85F added, 1946, 576 § 6 (relative to the retirement for accidental or ordinary disability of members of police and fire departments in certain cities and towns).

SECT. 86 revised, 1946, 576 § 7.

SECT. 89 revised, 1932, 276; amended, 1933, 340 § 1; 1934, 343; revised, 1935, 466; amended, 1936, 326; first paragraph amended, 1943, 366; first sentence amended, 1945, 641; first paragraph revised, 1945, 696. (See 1933, 340 § 2.)

SECT. 90 revised, 1936, 439 § 4.

SECT. 90A added, 1943, 452 § 1 (authorizing certain cities and towns to increase the retirement allowances of certain former employees retired on account of accidental disability). (See 1943, 452 § 2.)

SECT. 91 revised, 1938, 439 § 5; amended, 1941, 670 § 24. (See 1938, 439 § 7; 1941, 670 § 26.)

Chapter 33. — Militia.

Act establishing a special military reservation commission, and authorizing the acquisition by the commonwealth for military purposes of certain properties in Sandwich, Bourne, Falmouth and Mashpee, 1935, 196; powers and duties of the commission defined, 1936, 344 §§ 1, 2; reservation enlarged, 1941, 5. (See 1938, 331.)

The following references are to chapter 33, as appearing in the Tercenary Edition:

SECT. 6 revised, 1933, 254 § 1; 1938, 440 § 1A. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 7 revised, 1938, 440 § 1. (See 1938, 440 § 23.)

SECT. 18 amended, 1932, 15.

SECT. 22, paragraph in third line revised, 1937, 192 § 1.

SECT. 25A added, 1935, 295 § 1 (further regulating the calling out of the militia as an aid to the civil power of the commonwealth).

SECT. 26 amended, 1935, 295 § 2.

SECT. 31 amended, 1935, 295 § 3.

SECT. 32 revised, 1935, 295 § 4.

SECT. 33 revised, 1935, 295 § 5.

SECT. 34 amended, 1935, 295 § 6.

SECT. 48, subsection (a) revised, 1932, 161; same subsection amended, 1933, 166.

SECT. 60 amended, 1933, 153 § 1; 1934, 120; 1939, 144 § 1.

SECT. 67 revised, 1935, 205.

SECT. 82, subsection (e) added, 1938, 433 (making the United States property and disbursing officer for Massachusetts the finance officer of the Massachusetts National Guard, defining his powers and duties and establishing his compensation).

SECT. 90, paragraph in lines 63-65 revised, 1934, 106; last sentence of paragraph (k) revised, 1933, 17; paragraph (k) revised, 1937, 192 § 2.

SECT. 98, sentence added at end, 1933, 6.

Chapter stricken out and new chapter 33 inserted, 1939, 425 § 1. (See 1939, 425 § 2.)

The following references are to the new chapter 33:

SECT. 1 revised, 1943, 35 § 1.

SECT. 6, paragraph (a) revised, 1943, 35 § 2.

SECT. 16, paragraph added at end, 1946, 311.

SECT. 24 revised, 1943, 35 § 3.

SECT. 26A added, 1943, 348 § 2 (providing for the incurring by the governor of extraordinary expenses in aid of the civil power).

SECT. 39 amended, 1945, 100.

SECT. 47 revised, 1941, 318.

SECT. 49 amended, 1941, 217 § 1; 1946, 409 § 1.

SECT. 55 revised, 1943, 35 § 4.

SECTS. 55A-55F added, 1943, 409 § 1 (providing for the acquiring of motor vehicles or for obtaining the use thereof by the military division of the executive department, and for the settlement of certain claims against the commonwealth arising out of the operation of such motor vehicles).

SECT. 56 revised, 1943, 35 § 5.

SECT. 65, paragraph (a) amended, 1941, 395.

SECT. 66 revised, 1943, 35 § 6.

SECT. 68A added, 1943, 35 § 7 (providing that the state guard shall consist of such organizations and units as the commander-in-chief shall prescribe or authorize to be formed and defining the composition thereof).

SECT. 69, subdivision (a) amended, 1945, 393 § 5; subdivision (c) amended, 1941, 577 § 1; 1946, 591 § 43. (See 1941, 577 § 2.)

SECT. 79 amended, 1941, 490 § 8.

SECT. 104A added, 1943, 362 § 1 (authorizing the adjutant general to accept on behalf of the commonwealth certain gifts of personal property for military purposes).

SECT. 114, paragraphs (a) and (b) revised, 1943, 394 § 1; paragraph (d) amended, 1943, 394 § 2.

SECT. 120, subdivision (c) amended, 1945, 462 § 1. (See 1945, 462 § 2.)

SECT. 126, sentence added at end, 1943, 262 § 1. (See 1943, 262 § 3.)

SECTS. 126A and 126B added, 1943, 262 § 2 (further regulating allowances in the military division of the executive department). (See 1943, 262 § 3.)

SECT. 153 amended, 1941, 458.

Chapter 34. — Counties and County Commissioners.

SECT. 1 revised, 1933, 278 § 2.

SECT. 4 amended, 1935, 257 § 1; revised, 1939, 31 § 1. (See 1935, 257 § 12.)

SECT. 5, schedule revised, 1943, 102 § 1. (See 1943, 102 § 2).

SECT. 7 amended, 1935, 257 § 2; last sentence stricken out, 1939, 31 § 2. (See 1935, 257 § 12.)

SECT. 12 revised, 1935, 257 § 3. (See 1935, 257 § 12.)

SECT. 17 revised, 1932, 74; affected, 1939, 452 § 7.

SECT. 19 amended, 1935, 257 § 4. (See 1935, 257 § 12.)

SECT. 23 added, 1932, 297 (authorizing counties to receive certain gifts).

Chapter 35. — County Treasurers, State Supervision of County Accounts and County Finances.

For legislation enabling counties to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74. [For prior legislation, see 1933, 366; 1934, 21; 1935, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

Provisions relative to travel allowance of county employees using certain cars on official business, 1933, 322 § 4; 1939, 452 § 2; 1941, 528 § 3; 1943, 465 § 3; 1945, 550 § 3; 1946, 348 § 3.

Provisions relative to expenses incurred for meals by county employees, 1939, 452 § 3; 1941, 528 § 2; 1943, 465 § 2; 1945, 550 § 2; 1946, 348 § 2.

For legislation increasing the salaries of justices, clerks and probation officers of district courts, probation officers of the superior court, trial justices and county commissioners, see 1946, 348 § 4.

SECT. 2 revised, 1945, 289.

SECT. 3 revised, 1932, 56; sentence added at end, 1939, 109 § 2.

SECT. 11 amended, 1943, 65.

SECT. 19A added, 1945, 635 § 2 (providing for advances of their vacation pay to officers and employees of counties).

SECT. 21 amended, 1937, 64 § 2.

SECT. 25 amended, 1933, 175 § 1.

SECT. 27 amended, 1933, 175 § 2.

SECT. 28 amended, 1933, 318 § 2; 1934, 291 § 2; revised, 1939, 501 § 1; 1945, 158 § 1. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 28A added, 1943, 414 § 2 (establishing a budget system for county tuberculosis hospitals); amended, 1945, 158 § 7; revised, 1945, 398 § 3. (See 1945, 398 § 4, 5.)

SECT. 29 revised, 1939, 501 § 2; amended, 1945, 158 § 2.

SECT. 30 revised, 1939, 501 § 3; sentence added at end, 1943, 39; section revised, 1945, 158 § 3.

SECT. 34 revised, 1937, 36; amended, 1939, 501 § 4; 1945, 158 § 4.

SECT. 36A amended, 1939, 501 § 5; revised, 1943, 80; first sentence amended, 1945, 158 § 5.

SECT. 37 amended, 1933, 28.

SECT. 37A amended, 1933, 29.

SECT. 40 amended, 1936, 23 § 1.

SECT. 43A revised, 1939, 214 § 1.

SECT. 43B added, 1939, 214 § 2 (relative to the effect of the filing of annual fidelity bonds by county officers and employees).

SECT. 49 amended, 1935, 182 § 1; 1938, 347 § 1; 1939, 165 § 1; 1941, 447 § 1; 1943, 136 § 1; 1945, 486 § 2; 1946, 262 § 1; revised, 1946, 512 § 1. (See 1935, 182 § 6; 1938, 347 § 3; 1939, 165 § 3; 1941, 447 §§ 4, 5; 1943, 136 § 3; 1946, 262 §§ 4, 5; 512 § 3.)

SECT. 51 amended, 1938, 73 § 2.

SECT. 52, second paragraph revised, 1938, 73 § 1.

Chapter 36. — Registers of Deeds.

SECT. 3 revised, 1937, 219 § 1; 1939, 214 § 3.

SECT. 24A added, 1941, 89 (authorizing the recording of certified copies of petitions, decrees and orders filed or made pursuant to the federal bankruptcy laws and thereby giving effect to certain provisions of said laws).

SECT. 24B added, 1945, 569 § 1 (relative to the furnishing of abstract cards and photostatic copies of recorded instruments in the Norfolk county registry of deeds and Norfolk registry district to the assessors of municipalities of said county).

Chapter 37. — Sheriffs.

SECT. 2 revised, 1937, 219 § 2.

SECT. 17 amended, 1945, 63; 1946, 121.

SECT. 21 revised, 1943, 159 § 1. (See 1943, 159 § 2.)

SECT. 22 amended, 1932, 180 § 5.

SECT. 23 amended, 1936, 31 § 2; repealed, 1937, 148.

Chapter 38. — Medical Examiners.

SECT. 1, paragraph in lines 70-76 amended, 1939, 260; section amended, 1939, 451 § 6.

SECT. 2, last sentence revised, 1945, 632 § 1.

SECT. 2A added, 1943, 153 § 1 (authorizing associate medical examiners in Barnstable County to perform the duties of medical examiner thereof in certain cases); repealed, 1945, 632 § 2. (See 1943, 153 § 2.)

SECT. 3 revised, 1939, 214 § 4.

SECT. 5, last sentence revised, 1945, 632 § 3.

SECT. 6 amended, 1939, 475; revised, 1945, 632 § 4.

SECT. 7 amended, 1941, 366; revised, 1945, 632 § 5.

SECT. 8 revised, 1932, 118 § 1; amended, 1939, 30 § 1. (See 1939, 30 § 2.)

SECT. 11 amended, 1941, 499.

SECT. 19 revised, 1945, 632 § 6.

Chapter 39. — Municipal Government.

SECT. 10 amended, 1935, 403 § 1; 1939, 182. (See 1935, 403 § 2.)

SECT. 14, first and second paragraphs revised, 1943, 453 §§ 1 and 2, respectively.

SECT. 19 repealed, 1934, 39 § 1.

SECT. 20 amended, 1934, 39 § 2.

SECT. 23 amended, 1934, 39 § 3.

Chapter 40. — Powers and Duties of Cities and Towns.

Temporary act relative to the care and disposal of land acquired by cities and towns through foreclosure of tax titles, 1938, 358; amended to include care and disposal of lands of low value acquired by cities and towns through purchase, 1939, 123; further amended and extended, 1941, 296.

SECT. 4, third paragraph revised, 1932, 271 § 6; section amended, 1941, 351 § 3; paragraph added at end, 1946, 358 § 1. (See 1932, 271 § 7.)

SECT. 4A added, 1945, 438 (authorizing cities and towns and certain districts to make agreements relative to the performance of certain public services).

SECT. 5, clause (1) amended, 1933, 318 § 3 (see 1933, 318 § 9); 1935, 106; revised, 1935, 179; amended, 1939, 19; 1945, 391 § 2; 1946, 358 § 2; clause (2) amended, 1936, 390; clause (5A) added, 1938, 172 § 1 (authorizing appropriations to establish a water supply); clause (11) revised, 1946, 358 § 3; 526; clause (12) amended, 1932, 114 § 3; 1933, 153 § 2, 245 § 2; revised, 1936, 132 § 1, 163; amended, 1941, 217 § 2; 1943, 99; 1946, 409 § 2; clause (16A) added, 1946, 358 § 4 (authorizing appropriations for the employment of legal counsel for general purposes); clause (20) amended, 1946, 358 § 5; clause (25A) added, 1946, 358 § 6 (authorizing appropriations for the maintenance and supervision of beaches and swimming pools for recreation and physical exercise); clause (26) amended, 1946, 358 § 7; clause (27) revised, 1946, 358 § 8; clause (28) revised, 1936, 211 § 5 (see 1936, 211 § 7); clause (33) revised, 1946, 358 § 9; clause (37) revised, 1943, 177 § 1 (see 1943, 177 § 2); clause (38) added, 1934, 154 § 1 (authorizing appropriations for protection of interests in real estate held under tax title or taking); clause (39) added, 1935, 28 (authorizing appropriations for the purpose of co-operating with the federal government in certain unemployment relief and other projects); clause (40) added, 1937, 185 (authorizing appropriations for eyeglasses for needy school children); clause (41) added, 1938, 142 § 1 (authorizing cities and towns to appropriate money for stocking inland waters therein with fish and for liberating game therein); amended, 1941, 599 § 4. (See 1938, 142 § 2.)

SECT. 5A added, 1936, 40 (providing for the establishment of reserve funds for cities); amended, 1937, 34.

SECT. 5B added, 1945, 124 (authorizing cities and towns to appropriate money for a stabilization fund).

SECTS. 6C and 6D added, 1943, 225 (relative to the removal by cities and towns of snow and ice from private ways therein open to public use).

SECT. 9 amended, 1933, 245 § 3; 1935, 305; 1936, 271; first paragraph revised, 1946, 51; 209 § 2; 409 § 3; paragraph added at end, 1937, 255.

SECT. 11 amended, 1941, 490 § 9.

SECT. 12A repealed, 1941, 598 § 5.

SECT. 13, paragraph added at end, 1941, 130.

SECT. 14 revised, 1933, 283 § 1.

SECT. 17 amended, 1933, 254 § 2. (See 1933, 254 § 66.)

SECT. 21, clause (16) added at end, 1941, 346 § 1.

SECTS. 25-33. For special zoning provisions for Boston, see 1924, 488 and amendments prior to 1932; 1932, 143; 1933, 204; 1934, 210; 1936, 240; 1941, 373; 1946, 198.

SECTS. 25-30A stricken out, and new sections 25-30A (municipal zoning laws) inserted, 1933, 269 § 1. (See 1933, 269 § 4.)

SECT. 27 revised, 1941, 320.

SECT. 27A added, 1938, 133 § 1 (to prevent multiplicity of proposals for the same change in zoning ordinances or by-laws).

SECT. 28 revised, 1941, 176.

SECT. 30, first paragraph (as appearing in 1933, 269 § 1) amended, 1945, 167; paragraph in lines 54-60 (as appearing in 1933, 269 § 1) stricken out and two paragraphs added, 1941, 198 § 1; paragraph in lines 61-70 (as so appearing) amended, 1935, 388 § 1; clause (1) in lines 72-76 (as so appearing) revised, 1941, 198 § 2; paragraph in lines 80-90 (as so appearing) amended, 1935, 388 § 2. (See 1941, 198 § 3.)

SECT. 30A stricken out and reinserted as section 30B and new section 30A inserted, 1938, 133 § 2 (to prevent multiplicity of proposals for the same change in the application of zoning ordinances or by-laws).

SECT. 32 revised, 1933, 185 § 1; amended, 1941, 520 § 1. (See 1933, 185 § 2; 1941, 520 § 2.)

SECT. 38 revised, 1938, 172 § 2; paragraph added at end, 1941, 465 § 1.

SECTS. 39A-39G added, 1938, 172 § 3 (authorizing the establishment and maintenance of water supply and distributing systems).

SECT. 39A revised, 1941, 465 § 2.

SECT. 39H added, 1943, 125 (authorizing cities, towns and districts, through their water departments, and water companies, to aid similar municipal and other corporations relative to their water supply).

SECT. 40 revised, 1933, 314; 1945, 606.

SECT. 42A revised, 1932, 197 § 2; amended, 1936, 42 § 1; revised, 1938, 415 § 1; amended, 1941, 380 § 1. (See 1932, 197 § 3; 1938, 415 § 7; 1941, 380 § 7.)

SECT. 42B amended, 1935, 56 § 1; revised, 1936, 42 § 2; 1938, 415 § 2; revised, 1941, 380 § 2. (See 1935, 56 § 2; 1938, 415 § 7; 1941, 380 § 7.)

SECT. 42C amended, 1935, 248 § 1; revised, 1938, 415 § 3; 1941, 380 § 3. (See 1938, 415 § 7; 1941, 380 § 7.)

SECT. 42D, last sentence revised, 1935, 248 § 2; section revised, 1938, 415 § 4; 1941, 380 § 4. (See 1938, 415 § 7; 1941, 380 § 7.)

SECT. 42E, last sentence amended, 1932, 180 § 6; same sentence revised, 1939, 451 § 7; section amended, 1941, 380 § 5. Affected, 1938, 415 § 7. (See 1941, 380 § 7.)

SECT. 42F affected, 1938, 415 § 7; 1941, 380 § 7.

SECT. 43A (relative to pipe lines for conveying petroleum and its products and by-products) added under the heading "PETROLEUM AND ITS PRODUCTS AND BY-PRODUCTS", 1941, 678 § 2.

SECT. 51 revised, 1937, 196; two sentences added at end, 1945, 340; section revised, 1946, 584 § 3. (See 1946, 584 § 22.)

Chapter 41. — Officers and Employees of Cities, Towns and Districts.

SECT. 1, first paragraph revised, 1943, 453 § 3; paragraph in line 10 revised, 1934, 155 § 1; paragraph in lines 15, 16 revised, 1939, 129; paragraph in line 25 revised, 1939, 3; paragraph added at end, 1938, 341 § 2.

SECT. 5 amended, 1934, 39 § 4.

SECT. 11 amended, 1938, 341 § 3.

SECT. 13 amended, 1936, 18; 1937, 143 § 1.

SECT. 13A added, 1932, 289 § 5 (provisions relative to bonds of city clerks). [For prior legislation, see G. L. chapter 140 § 148, repealed by 1932, 289 § 6.]

SECT. 19, last sentence revised, 1938, 66; same sentence amended, 1945, 245.

SECT. 19A added, 1933, 70 § 1 (requiring the filing with the state secretary of certificates of appointment or election of clerks or assistant or temporary clerks of cities or towns, and granting authority to said secretary to authenticate attestations of any such officer). (See 1933, 70 § 2.)

SECT. 21, last paragraph revised, 1934, 155 § 2. (See 1934, 155 § 4.)

SECT. 24, paragraph added at end, 1945, 136 § 1. (See 1945, 136 § 2.)

SECT. 24A repealed, 1937, 129 § 1.

SECT. 25 revised, 1937, 129 § 2.

SECT. 25A revised, 1937, 129 § 3.

SECT. 26 revised, 1937, 129 § 4.

SECT. 26A added, 1935, 149 (relative to employment of counsel by boards of assessors in certain cases).

SECT. 27 revised, 1936, 118 § 1. (See 1936, 118 § 3.)

SECT. 28 amended, 1939, 342 § 2.

SECT. 30A added, 1946, 211 (relative to the effect of a vacancy in the office of assessor).

SECT. 35 revised, 1937, 143 § 2; sentence added at end, 1939, 109 § 1.

SECT. 37 revised, 1933, 82 § 2; amended, 1934, 259 § 2.

SECT. 38A amended, 1936, 201; revised, 1941, 211.

SECT. 39A added, 1939, 89 (providing for the appointment of assistant treasurers of cities and towns).

SECT. 39B added, 1943, 284 (authorizing the suspension and removal of city and town collectors and the appointment of temporary collectors under certain circumstances).

SECT. 40 revised, 1937, 143 § 3.

SECT. 43A added, 1939, 88 (requiring municipalities to indemnify and protect collectors of taxes in the performance of their duties in certain cases); revised, 1941, 99.

SECT. 54A amended, 1936, 62.

SECT. 59 amended, 1936, 94.

SECT. 61A revised, 1937, 143 § 4.

SECT. 66 revised, 1934, 155 § 3.

SECTS. 69A and 69B added, 1938, 172 § 4 (relative to the establishment and powers and duties of boards of water commissioners in certain towns).

SECT. 70, paragraph added at end, 1936, 211 § 1. (See 1936, 211 § 7.)

SECT. 71 amended, 1943, 266.

SECT. 72 revised, 1936, 211 § 2. (See 1936, 211 § 7.)

SECT. 73, paragraph added at end, 1936, 211 § 3. (See 1936, 211 § 7.)

SECTS. 81A-81J added, under caption "IMPROVED METHOD OF MUNICIPAL PLANNING", 1936, 211 § 4. (See 1936, 211 § 7.)

SECT. 81A, last paragraph revised, 1938, 113.

SECT. 86 amended, 1939, 261 § 5.

SECT. 91B added, 1933, 128 (further regulating the appointment of constables).

SECT. 96A added, 1938, 342 (disqualifying felons from appointment to the police forces or departments of cities, towns and districts).

SECT. 99 amended, 1932, 124.

SECT. 100, sentence added at end, 1933, 324 § 3; section amended, 1938, 298; revised, 1945, 670.

SECT. 100A amended, 1933, 318 § 4; 1934, 291 § 3; 1945, 391 § 1. (See 1933, 318 §§ 8, 9; 1934, 291 § 6; 1945, 391 § 3.)

SECT. 105 amended, 1936, 132 § 2.

SECT. 111 revised, 1932, 109; amended, 1936, 242; revised, 1937, 15; 1941, 368; fourth sentence stricken out and two sentences inserted, 1943, 280; first paragraph revised, 1946, 301.

SECT. 111A amended, 1934, 107.

SECT. 111B added, 1945, 156 (providing sick leaves for laborers, workmen and mechanics regularly employed by certain cities and towns); amended, 1946, 187.

SECT. 111C added, 1945, 348 (authorizing attendance at funerals or memorial services of war veterans by certain municipal employees without loss of pay).

Chapter 42. — Boundaries of Cities and Towns.

Boundary line between Saugus and Wakefield (portion) established, 1933, 298; between Woburn and Reading (portion) established, 1934, 177; between Oak Bluffs and Tisbury (portion) established, 1935, 145; between Brewster and Orleans (portion) established, 1935, 356; between Middleton and Topsfield established, 1936, 96; between Foxborough and Walpole established, 1937, 140; between Edgartown and Oak Bluffs (portion) established, 1937, 265; between Arlington and Belmont (portion) established, 1938, 371; between Rochester and Wareham and between Marion and Wareham (portion) established, 1939, 279; between Fitchburg and Leominster (portion) established, 1941, 37, 698; between Bellingham and Franklin established, 1941, 641; between Chicopee and Springfield (portion) established, 1945, 274; between Brewster and Dennis and between Dennis and Harwich, 1945, 599.

SECT. 1 revised, 1933, 278 § 3.

Chapter 43. — City Charters.

SECT. 1, three paragraphs inserted after word "inclusive" in line 22, 1938, 378 § 1.

SECT. 5, paragraph added at end, 1938, 378 § 2.

SECT. 7 amended, 1939, 451 § 8.

- SECT. 8, form of petition revised, 1938, 378 § 3.
SECT. 9 revised, 1941, 640 § 1. (See 1941, 640 § 7.)
SECT. 10, paragraph added at end, 1938, 378 § 4.
SECT. 11 revised, 1941, 640 § 2. (See 1941, 640 § 7.)
SECT. 15 amended, 1933, 313 § 7; last paragraph amended, 1938, 378 § 5; section revised, 1941, 640 § 3. (See 1941, 640 § 7.)
SECT. 17 revised, 1938, 378 § 6.
SECT. 18, paragraph numbered 4 inserted, 1938, 378 § 7.
SECT. 19 revised, 1938, 378 § 8.
SECT. 23 amended, 1935, 68 § 1.
SECT. 26, first paragraph revised, 1937, 224 § 1; amended, 1938, 378 § 9.
SECT. 29 revised, 1938, 378 § 10.
SECT. 30 revised, 1938, 378 § 11.
SECT. 31 amended, 1938, 378 § 12.
SECT. 36 revised, 1938, 378 § 13.
SECT. 42 amended, 1935, 68 § 2.
SECT. 44A amended, 1933, 313 § 8; last two sentences stricken out, and paragraph added at end, 1934, 30; first paragraph revised, 1938, 378 § 14; last sentence of first paragraph stricken out, 1941, 640 § 4. (See 1941, 640 § 7.)
SECT. 44C, first paragraph amended, 1937, 147; 1943, 229 § 1.
SECT. 44H amended, 1932, 180 § 7; 1941, 640 § 5. (See 1941, 640 § 7.)
SECT. 46 amended, 1939, 451 § 9.
SECT. 50A added, 1936, 135 (relative to the filling of vacancies in the city council in cities having a Plan A form of charter).
SECT. 56 amended, 1937, 224 § 2.
SECT. 59A added, 1937, 224 § 3 (relative to the filling of vacancies in the city council in cities having a Plan B form of charter).
SECTS. 93–116 added, under the heading “PLAN E. — GOVERNMENT BY A CITY COUNCIL INCLUDING A MAYOR ELECTED FROM ITS NUMBER, AND A CITY MANAGER, WITH ALL ELECTIVE BODIES ELECTED AT LARGE BY PROPORTIONAL REPRESENTATION”, 1938, 378 § 15 (providing an additional optional standard form of city charter under which substantial control of the city government is vested in a city council elected at large by proportional representation, with a city manager appointed and removable at pleasure by the city council).
SECT. 100 amended, 1941, 722 § 5.
SECT. 102 amended, 1941, 722 § 6.
SECT. 110, form of petition amended, 1941, 722 § 7.

Chapter 43A. — Standard Form of Representative Town Meeting Government.

Act relative to Wellesley, 1932, 202; to Needham, 1932, 279; to Webster, 1933, 13; to South Hadley, 1933, 45; to Easthampton, 1933, 178; to Milford, 1933, 271; to Adams, 1935, 235; to Falmouth, 1935, 349; to Amherst, 1936, 10; to Amesbury, 1936, 39; to Braintree, 1936, 56; 1937, 17; to Natick, 1938, 2; to Palmer, 1939, 110; to Reading, 1943, 7.

SECT. 3, first paragraph amended, 1937, 267 § 2.

SECT. 4, first paragraph amended, 1936, 128.

SECT. 6 revised, 1943, 1 § 1; 1943, 453 § 4; amended, 1945, 359. (See 1943, 1 § 2.)

SECT. 8, first sentence revised, 1943, 453 § 5.

Chapter 44. — Municipal Finance.

For temporary legislation establishing an emergency finance board in the department of the state treasurer, and providing for the borrowing of money by cities and towns against certain tax titles, see 1933, 49, 104; 1935, 221, 300, 456; 1936, 281; 1938, 57; 1939, 288, 496; 1941, 129; 1943, 413; 1945, 324.

For legislation enabling cities and towns to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74. [For prior legislation, see 1933, 366; 1934, 21; 1935, 213, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.]

For emergency legislation authorizing cities and towns to make certain appropriations during the existing state of war, see 1943, 5 §§ 1, 6; 75 §§ 1, 2, 4, 5; 1946, 10. [For prior legislation, see 1941, 487; 1942, 4.]

For legislation authorizing the renewal by cities and towns of certain temporary revenue loans, see 1935, 12; 1938, 25; 1939, 68; 1941, 134; 1943, 60.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325; 712; 1946, 615.

For temporary act authorizing cities and towns to borrow on account of public welfare and soldiers' benefits from the commonwealth and elsewhere, and authorizing the commonwealth to issue bonds or notes to provide funds therefor, see 1933, 307 (as changed by 1933, 344 §§ 3, 4; 1934, 335; and as affected by 1933, 367 § 1).

For legislation authorizing cities, towns and districts to borrow, in the years 1935 to 1946, inclusive, on account of public welfare and soldiers' benefits and their share of the cost of certain federal emergency unemployment relief projects, see 1935, 188; 1936, 80; 1937, 107; 1938, 58; 1939, 72, 453; 1941, 92; 1943, 44; 1945, 73; 1946, 584 § 17.

For legislation authorizing cities, towns and districts to borrow, in the years 1941 to 1944, inclusive, on account of the distribution of surplus commodities in co-operation with the federal government, see 1941, 92; 1943, 44.

For temporary legislation authorizing any city or town to expend money in co-operation with the federal government prior to the passage of its annual budget, see 1938, 180; 1941, 58.

For legislation regulating the use of receipts from the sale by cities and towns of federal surplus commodity stamps, 1941, 65.

SECT. 1, definition of "Revenue" revised, 1946, 358 § 10.

SECT. 2 revised, 1936, 224 § 4; amended, 1946, 358 § 11. (See 1936, 224 §§ 11, 12.)

SECT. 4 amended, 1934, 11 § 1; affected, 1934, 11 §§ 2, 3; amended, 1936, 16; 1946, 358 § 12.

SECT. 4A added, 1935, 68 § 3 (temporary loans by cities in anticipation of revenue exempted from charter provisions relative to publication and referendum).

SECT. 5 amended, 1939, 37.

SECT. 5A amended, 1935, 68 § 4.

SECT. 5B added, 1943, 61 § 1 (relative to borrowing for liabilities incurred by districts prior to the annual appropriations).

SECT. 7 amended, 1936, 224 § 5; first paragraph amended, 1946, 358 § 13; clause (12) repealed, 1946, 358 § 14. (See 1936, 224 §§ 11, 12.)

SECT. 8, clause (3) revised, 1938, 172 § 5; clause (5) revised, 1941, 83; clause (9) amended, 1939, 457; clause (13) added, 1946, 358 § 15.

SECT. 8A added, 1939, 108 § 1 (providing for submitting to the voters of certain cities the question of approving or disapproving orders authorizing the issue of bonds, notes or certificates of indebtedness for certain purposes). (See 1939, 108, § 2.)

SECT. 9 amended, 1941, 376; 1946, 384 § 1.

SECT. 10 amended, 1936, 224 § 6; 1939, 24 § 1; 1946, 329. (See 1936, 224 §§ 11, 12.)

SECT. 11 amended, 1936, 224 § 7. (See 1936, 224 §§ 11, 12.)

SECT. 12 amended, 1936, 224 § 8; repealed, 1946, 358 § 16. (See 1936, 224 §§ 11, 12.)

SECT. 13 revised, 1946, 358 § 17.

SECT. 13A added, 1943, 61 § 2 (relative to the incurring of liabilities by districts prior to the annual appropriations).

SECT. 16, last sentence stricken out, 1936, 224 § 10. (See 1936, 224 §§ 11, 12.)

SECT. 17 amended, 1946, 358 § 18.

SECT. 18 amended, 1946, 358 § 19.

SECT. 19 amended, 1946, 358 § 20.

SECT. 20 amended, 1946, 358 § 21.

SECT. 21 amended, 1946, 358 § 22.

SECT. 22 amended, 1936, 224 § 9. (See 1936, 224 §§ 11, 12.)

SECT. 29. As to tax limit of Boston, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 31 revised, 1946, 358 § 23.

SECT. 31A added, 1941, 473 § 1 (relative to budgets in certain cities).

SECT. 32, paragraphs added at end, 1938, 175 § 1, 378 § 16; section revised, 1941, 473 § 2.

SECT. 33 revised, 1941, 473 § 3.

SECT. 33A stricken out and new sections 33A and 33B inserted, 1943, 62 (amending and clarifying the law relative to budgets in cities).

SECT. 34 revised, 1938, 170; paragraph added at end, 1941, 93.

SECT. 35 amended, 1941, 454.

SECT. 40 amended, 1939, 339; first sentence amended, 1945, 29 § 1. (See 1945, 29 § 2; repealed by 1946, 109.)

SECT. 41 revised, 1946, 432 § 4.

SECT. 46A added, 1932, 155 (making permanent certain provisions of law relative to investigations of municipal accounts and financial transactions by the director of accounts). [For prior temporary legislation, see 1926, 210; 1929, 335.]

SECT. 51 amended, 1934, 355; repealed, 1938, 458.

SECT. 54 amended, 1933, 200; 1946, 358 § 24.

SECT. 56A added, 1934, 229 § 1 (relative to the financial year of cities). (See 1934, 229 §§ 2, 3.)

SECT. 63 amended, 1946, 358 § 25.

SECT. 64 added, 1941, 179 (authorizing towns to appropriate money for the payment of certain unpaid bills of previous years).

SECT. 65 added, 1945, 635 § 3 (providing for advances of their vacation pay to officers and employees of cities and towns).

Chapter 45. — Public Parks, Playgrounds and the Public Domain.

SECT. 2 amended, 1941, 10 § 1.

SECT. 17A added, 1938, 220 (authorizing cities and towns to use certain ways therein for playground purposes).

Chapter 46. — Return and Registry of Births, Marriages and Deaths.

SECT. 1, third sentence of second paragraph revised, 1933, 280 § 1; fourth paragraph amended, 1941, 51.

SECT. 1A added, 1939, 61 § 1 (further regulating the making and recording of certificates of birth of certain abandoned children and foundlings).

SECT. 2A added, 1933, 279 (regulating the impounding of birth records of children born out of wedlock); amended, 1937, 78 § 1; revised, 1939, 269 § 1.

SECT. 3, paragraph added at end, 1939, 326 § 1.

SECT. 4A added, 1941, 434 (providing for the verification of returns of births).

SECT. 6 revised, 1939, 61 § 2.

SECT. 9 amended, 1936, 100; 1945, 113.

SECT. 12 amended, 1937, 78 § 2; revised, 1945, 439.

SECT. 13, paragraph in first to sixth lines amended, 1939, 61 § 3; second paragraph amended, 1933, 280 § 2; second paragraph stricken out and two new paragraphs inserted, 1938, 63; first paragraph so inserted revised, 1943, 72 § 2; paragraph in eighteenth and nineteenth lines, as appearing in Tercentenary Edition, amended, 1938, 97; fourth paragraph, as so appearing, amended, 1941, 50; same paragraph amended, 1945, 65; paragraph added at end, 1939, 61 § 4.

SECT. 13A added, 1945, 542 (providing for the recording of certain births upon the determination of facts relating thereto by a probate court).

SECT. 16 amended, 1941, 351 § 4.

SECT. 17 revised, 1932, 12; amended, 1939, 269 § 2.

SECT. 19 revised, 1943, 228 § 1; amended, 1945, 570 § 1. (See 1945, 570 § 2.) (See 1943, 228 § 2.)

SECT. 20 revised, 1941, 351 § 5.

SECT. 26 amended, 1939, 326 § 2.

Chapter 48. — Fires, Fire Departments and Fire Districts.

For legislation enabling districts to secure the benefits provided by the federal government to assist them in public works projects, see 1945, 74. (For prior legislation, see 1933, 366; 1934, 21; 1935, 213, 404; 1936, 64, 83, 414; 1937, 159; 1938, 50, 82; 1939, 423; 1941, 639; 1943, 58.)

For legislation authorizing districts to borrow, in the years 1935 to 1944, inclusive, on account of public welfare and soldiers' benefits and their share of the cost of certain federal emergency unemployment relief projects, see 1935, 188; 1936, 80; 1937, 107; 1938, 58; 1939, 72, 453; 1941, 92; 1943, 44.

For legislation authorizing districts to borrow, in the years 1941 to 1944, inclusive, on account of the distribution of surplus commodities in co-operation with the federal government, see 1941, 92; 1943, 44.

For legislation authorizing the renewal by districts of certain temporary revenue loans, see 1939, 68; 1941, 134; 1943, 60.

For emergency legislation authorizing districts to make certain appropriations during the existing state of war, see 1943, 5 §§ 1, 6; 75 §§ 1, 2, 4, 5; 1946, 10. [For prior legislation, see 1941, 487; 1942, 4.]

SECT. 8 amended, 1941, 490 § 10.

SECT. 13 amended, 1938, 204; revised, 1941, 581; 1945, 269.

SECT. 15 amended, 1932, 180 § 8; 1941, 490 § 11.

SECT. 16 revised, 1943, 103 § 1.

SECT. 18 revised, 1943, 103 § 2.

SECT. 28A amended, 1941, 490 § 12.

SECT. 28B. See 1941, 688.

SECT. 58A added, 1941, 638 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns).

SECT. 58B added, 1945, 413 § 1 (further regulating the hours of duty of permanent members of fire departments in certain cities and towns). (See 1945, 413 § 2; 1946, 114, 371, 436, 597.)

SECT. 59E added, 1939, 419 § 1 (providing for the ultimate abolition of reserve fire forces in certain cities and towns).

Chapter 50. — General Provisions relative to Primaries, Caucuses and Elections.

SECT. 1, paragraph defining "Ballot labels" inserted, 1941, 511 § 1; paragraph in lines 19–21 revised, 1943, 453 § 6; paragraph in lines 54 and 55 revised, 1941, 511 § 2; paragraph in lines 56–62 amended, 1943, 318 § 5; paragraph in lines 91 and 92 revised, 1943, 453 § 7; paragraph inserted after paragraph in line 93, 1943, 453 § 8.

SECT. 2 amended, 1932, 141 § 1; sentence added at end, 1938, 341 § 4.

SECT. 8 amended, 1943, 453 § 9.

Chapter 51. — Voters.

For legislation providing for a state wide verification of voting lists, see 1938, 427; repealed and superseded by 1939, 450; amended, 1943, 537; 1945, 127.

SECT. 1, first paragraph revised, 1943, 453 § 10; paragraph added at end, 1932, 206.

SECT. 2 amended, 1933, 254 § 3; revised, 1945, 310. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 4; revised, 1943, 453 § 11. (See 1933, 254 § 66.)

Heading before section 4 revised, 1943, 453 § 12.

SECT. 4 amended, 1933, 254 § 5; first paragraph revised, 1935, 345

§ 1; amended, 1937, 1 § 1; revised, 1938, 186 § 1; section revised, 1938, 440 § 2; section amended, 1943, 453 § 13. (See 1933, 254 §§ 65, 66; 1937, 226; 1938, 186 § 5, 440 § 23.)

SECT. 5 revised, 1938, 440 § 3; 1939, 188 § 1. (See 1938, 440 § 23.)

SECT. 6 revised, 1938, 440 § 4; 1939, 188 § 2. (See 1938, 440 § 23.)

SECT. 7 amended, 1933, 254 § 6; revised, 1935, 345 § 2; amended, 1938, 440 § 5; revised, 1939, 188 § 3. (See 1933, 254 §§ 65, 66; 1938, 440 § 23.)

SECT. 8 amended, 1933, 254 § 7; 1937, 1 § 2; revised, 1938, 186 § 2, 440 § 6. (See 1933, 254 § 66; 1938, 186 § 5, 440 § 23.)

SECT. 9 amended, 1933, 254 § 8; revised, 1938, 440 § 7. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 10 amended, 1938, 440 § 8; repealed, 1943, 453 § 14. (See 1938, 440 § 23.)

SECTS. 10A and 10B added, 1939, 369 § 1 (providing for the securing of information relative to persons residing at inns, lodging houses and public lodging houses); sections stricken out and new section 10A inserted, 1943, 320 § 1.

SECT. 11 revised, 1938, 440 § 9. (See 1938, 440 § 23.)

SECT. 12 revised, 1938, 440 § 10; sentence added at end, 1945, 715 § 1. (See 1938, 440 § 23.)

SECT. 13 repealed, 1943, 453 § 15.

SECT. 14A revised, 1938, 440 § 11. (See 1938, 440 § 23.)

SECT. 14B added, 1933, 254 § 9 (amending special acts relative to the listing of voters in certain municipalities so as to conform to the change in taxing date from April 1 to January 1); revised, 1938, 440 § 12; amended, 1943, 453 § 16. (See 1933, 254 §§ 65, 66; 1938, 440 § 23.)

SECT. 20 revised, 1943, 453 § 17.

SECT. 22 amended, 1938, 280; revised, 1943, 453 § 18.

SECT. 22A added, 1945, 715 § 2 (providing for registration as voters of persons who are physically unable to apply in person); revised, 1946, 196 § 1.

SECT. 23 amended, 1943, 453 § 19; revised, 1945, 715 § 3.

SECT. 26 amended, 1932, 48 § 1; 1935, 37 § 1; 1938, 473 § 2; 1943, 453 § 20.

SECT. 27 revised, 1932, 48 § 2; amended, 1935, 37 § 2; 1938, 473 § 3; amended, 1943, 109 § 1; revised, 1943, 453 § 21.

SECT. 29A amended, 1943, 109 § 2.

SECT. 29B added, 1938, 179 (providing for sessions of registrars of voters in all the wards of every city prior to each biennial state election); amended, 1943, 453 § 22.

SECT. 30, first sentence amended, 1943, 453 § 23.

SECT. 32 amended, 1933, 254 § 10. (See 1933, 254 § 66.)

SECT. 33, paragraph added at end, 1945, 246; revised 1946, 160.

SECT. 34 amended, 1933, 254 § 11. (See 1933, 254 § 66.)

SECT. 35 revised, 1938, 440 § 13; amended, 1939, 451 § 10. (See 1938, 440 § 23.)

SECT. 36 amended, 1933, 254 § 12; paragraph added at end, 1943, 453 § 24. (See 1933, 254 § 66.)

SECT. 37 amended, 1933, 254 § 13; revised, 1938, 440 § 14; fourth sentence amended, 1939, 369 § 2; 1943, 320 § 2; last sentence stricken

out, 1941, 328 § 2; section revised, 1943, 453 § 25. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 38 revised, 1943, 453 § 26.

SECT. 39 amended, 1938, 440 § 15. (See 1938, 440 § 23.)

SECT. 41 revised, 1943, 453 § 27.

SECT. 41A added, 1941, 328 § 1 (ensuring that certain laws relative to registration of persons residing at inns and lodging houses are of general application); revised, 1943, 320 § 3.

SECT. 42 revised, 1945, 715 § 4.

SECT. 42A added, 1945, 715 § 5 (relative to registration as voters of persons who are physically unable to apply in person); revised, 1946, 196 § 2.

SECT. 43 amended, 1933, 254 § 14; revised, 1938, 440 § 16. (See 1933, 254 § 66; 1938, 440 § 23.)

SECT. 44 amended, 1943, 453 § 28; revised, 1945, 715 § 6.

SECT. 45 revised, 1943, 108; 1945, 715 § 7.

SECT. 46 revised, 1945, 715 § 8.

SECT. 47 revised, 1945, 715 § 9.

SECT. 50 amended, 1938, 440 § 17; 1945, 378. (See 1938, 440 § 23.)

SECT. 54, paragraph added at end, 1946, 537 § 1. (See 1946, 537 § 12.)

SECT. 55 amended, 1933, 254 § 15; sentence added at end, 1936, 2 § 1; same sentence revised, 1938, 473 § 4; section amended, 1943, 453 § 29; last sentence revised, 1946, 140 § 15. (See 1933, 254 § 66.)

SECT. 57 amended, 1943, 453 § 30.

SECT. 58 revised, 1945, 253.

SECT. 61 amended, 1937, 21 § 1.

SECT. 62 amended, 1943, 453 § 31.

SECT. 63 revised, 1943, 453 § 32.

Chapter 52. — Political Committees.

The following references are to chapter 52, as appearing in the Tercenary Edition:

SECT. 1 amended, 1932, 310 § 1; revised, 1934, 288 § 1; 1936, 99. (See 1934, 288 § 5; 1937, 384, 435.)

SECT. 2 amended, 1932, 310 § 2; revised, 1934, 288 § 2; amended, 1936, 11 § 2. (See 1934, 288 § 5; 1936, 11 § 3; 1937, 384, 435.)

SECT. 4 amended, 1934, 288 § 3. (See 1934, 288 § 5.)

SECT. 7 amended, 1934, 118; first paragraph stricken out, 1934, 288 § 4. (See 1934, 288 § 5; 1937, 384, 435.)

SECT. 9 amended, 1932, 310 § 3; 1937, 24 § 1. (See 1937, 384, 435.)

Chapter stricken out and new chapter inserted, 1938, 346 § 1. (See 1938, 346 §§ 3, 4.)

The following reference is to the new chapter 52:

SECT. 9 revised, 1941, 337 § 1.

Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 1 amended, 1939, 371.

SECT. 2 amended, 1932, 310 § 4; last sentence revised, 1934, 32 § 1; section revised, 1938, 473 § 5; 1941, 337 § 2. (See 1937, 384, 435.)

SECT. 3 revised, 1936, 116 § 1; amended, 1937, 45 § 1; revised, 1943, 334 § 1; sentence added at end, 1945, 55.

SECT. 6 amended, 1936, 101; revised, 1939, 191; 1941, 266; amended, 1943, 50; revised, 1943, 334 § 2.

SECT. 7 amended, 1933, 254 § 16; sentence inserted, 1936, 2 § 2; section revised, 1936, 4 § 1; amended, 1937, 25 § 1; 1938, 341 § 5; first and second sentences revised, 1943, 334 § 3. (See 1933, 254 § 66.)

SECT. 7A added, 1943, 229 § 2 (relative to the certification of nomination petitions for preliminary elections in cities).

SECT. 8, first paragraph amended, 1932, 135 § 4; section amended, 1933, 35 § 1; first sentence amended, 1938, 473 § 6; section revised, 1943, 334 § 4.

SECT. 10, first paragraph amended, 1934, 111; revised, 1937, 45 § 2; amended, 1938, 373 § 4; 1946, 20 § 2; second paragraph revised, 1933, 313 § 2; 1941, 278; amended, 1941, 472 § 4; 1943, 229 § 3; third paragraph revised, 1937, 77 § 2; amended, 1943, 334 § 5.

SECT. 11, sentence added at end, 1933, 313 § 3; revised, 1937, 77 § 3; section revised, 1937, 212 § 1; amended, 1943, 334 § 6.

SECT. 12 revised, 1937, 212 § 2; first paragraph amended, 1943, 334 § 7; paragraph added at end, 1939, 166.

SECT. 12A added, 1933, 305 (to prevent certain fraudulent nominations).

SECT. 13, sentence added at end, 1933, 313 § 4; section amended, 1937, 26, 77 § 4.

SECT. 14, sentence inserted after third sentence, 1943, 334 § 8.

SECT. 15 amended, 1943, 334 § 9.

SECT. 17 amended, 1943, 334 § 10.

SECT. 17A added, under the heading "ENDORSEMENT FOR NOMINATION OF MEMBERS OF STATE POLITICAL COMMITTEES BY CONVENTIONS", 1938, 397; second paragraph amended, 1945, 237 § 1; fifth paragraph amended, 1945, 20.

SECT. 18 revised, 1934, 282.

SECT. 20 revised, 1943, 334 § 11.

SECT. 21 amended, 1945, 237 § 2.

SECT. 22A amended, 1932, 80; 1938, 192; 1943, 51.

SECT. 22B added, 1938, 191 (requiring persons circulating initiative and referendum petitions to attest the validity of signatures thereto under the penalties of perjury).

SECT. 24. See 1937, 275.

SECT. 26 amended, 1943, 334 § 12; paragraph added at end, 1945, 51.

SECT. 28 amended, 1932, 310 § 5; revised, 1933, 313 § 5; amended, 1934, 32 § 2; revised, 1938, 473 § 7; first paragraph amended, 1946, 20 § 3. (See 1937, 384, 435.)

SECT. 32 amended, 1932, 310 § 6; 1938, 473 § 8. (See 1937, 384, 435.)

SECT. 33, sentence added at end, 1941, 511 § 3.

SECT. 34 revised, 1932, 310 § 7; first paragraph revised, 1938, 436 § 1; fourth paragraph revised, 1937, 22; section revised, 1938, 473 § 9; second and third paragraphs revised, 1941, 337 § 3; fifth paragraph revised, 1941, 352; amended, 1943, 334 § 13. (See 1937, 384, 435.)

SECT. 35 amended, 1932, 310 § 8; 1938, 473 § 10; amended, 1941, 337 § 4. (See 1937, 384, 435.)

SECT. 35A added, 1943, 301 (relative to pasters or stickers for use at primaries).

SECT. 36 amended, 1941, 511 § 4.

SECT. 37 revised, 1943, 334 § 14.

SECT. 38 amended, 1938, 299; 1943, 334 § 15; 1945, 237 § 3.

SECT. 40 revised, 1932, 30.

SECT. 40A added, 1943, 334 § 16 (requiring petitions for recounts at primaries of a political party to be signed by enrolled voters thereof).

SECT. 41 revised, 1932, 310 § 9; section and title preceding it stricken out and new section inserted under the heading "PROVISIONS APPLYING TO STATE PRIMARIES", 1938, 473 § 11; section revised, 1941, 337 § 5. (See 1937, 384, 435.)

SECT. 42 amended, 1932, 310 § 10; 1937, 24 § 2; revised, 1938, 373 § 1. (See 1937, 384, 435.)

SECT. 43 amended, 1932, 310 § 11; 1937, 201. (See 1937, 384, 435.)

SECT. 44 revised, 1932, 310 § 12; amended, 1935, 38; revised, 1938, 373 § 2, 473 § 12; amended, 1941, 337 § 6. (See 1937, 384, 435.)

SECT. 45 amended, 1932, 310 § 13; first paragraph amended, 1936, 22; 1938, 84; section revised, 1938, 473 § 13; amended, 1941, 337 § 7; paragraph added at end, 1946, 537 § 2. (See 1937, 384, 435; 1946, 537 § 12.)

SECT. 46 amended, 1936, 4 § 2; revised, 1937, 25 § 2; amended, 1941, 337 § 8.

SECT. 47 amended, 1932, 310 § 14; 1938, 473 § 14. (See 1937, 384, 435.)

SECT. 48 amended, 1932, 310 § 15; first paragraph revised, 1938, 373 § 3; paragraph added at end, 1938, 272; same paragraph amended, 1941, 563; paragraph added at end, 1941, 675; section amended, 1943, 53; first paragraph amended, 1946, 20 § 4. (See 1937, 384, 435.)

SECT. 49 revised, 1932, 310 § 16; 1938, 473 § 15. (See 1937, 384, 435.)

SECT. 51 amended, 1932, 310 § 17; 1938, 473 § 16. (See 1937, 384, 435.)

SECT. 52 amended, 1932, 310 § 18; revised, 1938, 473 § 17; amended, 1941, 337 § 9. (See 1937, 384, 435.)

SECT. 53 revised, 1932, 310 § 19; 1938, 473 § 18; amended, 1941, 337 § 10. (See 1937, 384, 435.)

SECT. 53A amended, 1932, 310 § 20; revised, 1938, 473 § 19. (See 1937, 384, 435.)

SECT. 54 revised, 1932, 310 § 21; two sentences added, 1935, 482 § 1; section amended, 1936, 11 § 1; 1937, 24 § 3; section (and heading) revised, 1938, 346 § 2; section amended, 1941, 337 § 11. (See 1936, 11 §§ 2, 3; 1937, 384, 435; 1938, 346 §§ 3, 4.)

SECTS. 54A and 54B added, 1932, 310 § 22 (relative to proceedings at pre-primary conventions, to the form of certificates of nomination of candidates thereat, and to the acceptance of such nominations); repealed, 1938, 473 § 20. (See 1937, 384, 435.)

SECT. 55, paragraph added at end, 1936, 116 § 2.

SECT. 56, amended, 1943, 334 § 17.

SECT. 57 amended, 1937, 410; 1945, 237 § 4.

SECT. 61 amended, 1936, 140; 1937, 411; 1941, 272.

SECTS. 65-70 (and caption) repealed, 1932, 310 § 23. (See 1937, 384, 435; 1938, 473 § 21.)

SECTS. 70A-70H added, under heading "PROVISIONS APPLYING TO PRESIDENTIAL PRIMARIES," 1938, 473 § 21.

SECT. 70B amended, 1941, 337 § 12.

SECT. 70F amended, 1939, 451 § 11.

SECT. 71. See 1937, 275.

SECT. 72A added, 1933, 313 § 6 (relative to caucuses before regular city elections in cities having absent voting); revised, 1937, 77 § 5; 1945, 1.

SECT. 76, paragraph added at end, 1946, 537 § 3. (See 1946, 537 § 12.)

SECT. 87, paragraph added at end, 1946, 537 § 4. (See 1946, 537 § 12.)

SECT. 112 amended, 1935, 59 § 2.

SECT. 117 amended, 1932, 141 § 2.

SECT. 121 added, 1932, 141 § 3 (authorizing the nomination by caucuses other than those of political or municipal parties of two candidates for each town office); revised, 1936, 204.

Chapter 54. — Elections.

SECT. 2 amended, 1943, 411 § 1.

SECT. 4 revised, 1935, 482 § 2; amended, 1936, 185; revised, 1937, 412.

SECT. 5 revised, 1943, 209 § 1.

SECT. 6 revised, 1943, 411 § 2.

SECT. 7 revised, 1943, 411 § 3.

SECT. 9A added, 1937, 267 § 1 (relative to the use of precincts in certain towns in the formation of representative districts).

SECT. 11 amended, 1932, 76 § 1; 1934, 158 § 1; 1937, 27; 1938, 341 § 6; revised, 1941, 432 § 1.

SECT. 11A added, 1932, 76 § 2 (dispensing with the appointment of deputy election officers in certain cities).

SECT. 11B added, 1941, 432 § 2 (relative to the appointment of election officers in certain cities); revised, 1943, 230.

SECT. 12 amended, 1934, 158 § 2; revised, 1945, 363.

SECT. 13 amended, 1934, 158 § 3; 1943, 411 § 4.

SECT. 14 amended, 1943, 411 § 5.

SECT. 16A added, 1943, 411 § 6 (relative to the temporary filling of vacancies in the offices of election officers).

SECT. 19 amended, 1934, 158 § 4.

SECT. 21 amended, 1934, 158 § 5.

SECT. 22 amended, 1943, 411 § 7.

SECT. 23 amended, 1943, 411 § 8; paragraph added at end, 1946, 537 § 5. (See 1946, 537 § 12.)

SECT. 24, last sentence stricken out and two new sentences inserted, 1943, 209 § 2.

SECT. 25 revised, 1943, 411 § 9.

SECT. 26 amended, 1938, 281 § 1; 1943, 240.

SECT. 27, paragraph added at end, 1946, 537 § 6. (See 1946, 537 § 12.)

SECT. 30 amended, 1943, 310 § 1.

SECT. 30A added, 1943, 310 § 2 (relative to election officers in places where voting machines are used).

SECT. 31, paragraph added at end, 1943, 310 § 3.

SECT. 33, last sentence stricken out, and paragraph inserted at end, 1935, 238 § 1.

SECTS. 33A-33D added, 1943, 310 § 4 (relative to the use of voting machines at primaries and elections).

SECT. 34 revised, 1936, 205 § 1; second paragraph stricken out, 1938, 281 § 2; section amended, 1945, 84.

SECT. 35 revised, 1943, 310 § 5.

SECTS. 35A and 35B added, 1938, 281 § 3 (relative to voting by challenged voters at polling places where voting machines are used and to the counting of votes where such machines are used).

SECT. 35A, sentence added at end, 1941, 511 § 5; section amended, 1945, 62.

SECT. 35B, second sentence of second paragraph revised, 1941, 511 § 6; second paragraph revised, 1943, 310 § 6; third paragraph amended, 1941, 511 § 7.

SECT. 38 revised, 1936, 205 § 2.

SECT. 41, third paragraph amended, 1933, 35 § 2; 1938, 190; second sentence of same paragraph revised, 1938, 436 § 2; same paragraph amended, 1946, 78; last paragraph stricken out and three paragraphs inserted, 1943, 411 § 11.

SECT. 42 amended, 1932, 135 § 5; first paragraph amended, 1935, 238 § 2; same paragraph revised, 1941, 292; last paragraph amended, 1943, 411 § 12.

SECT. 43 revised, 1932, 135 § 1.

SECT. 44 amended, 1943, 411 § 13.

SECT. 45, first sentence revised, 1943, 281 § 1; paragraph added at end, 1943, 281 § 2.

SECT. 48 amended, 1943, 290.

SECT. 49 amended, 1943, 411 § 14.

SECT. 53 amended, 1945, 64.

SECT. 60, last sentence amended, 1938, 281 § 6.

SECT. 62 amended, 1935, 257 § 5. (See 1935, 257 § 12.)

SECT. 64, last paragraph amended, 1934, 39 § 5.

SECT. 65 revised, 1933, 289 § 1; amended, 1943, 411 § 15; paragraph added at end, 1946, 537 § 7. (See 1946, 537 § 12.)

SECT. 68, paragraph added at end, 1946, 537 § 8. (See 1946, 537 § 12.)

SECT. 70 revised, 1943, 411 § 16.

SECT. 71. See 1937, 275.

SECT. 71A added, 1943, 411 § 17 (requiring that election officers in cities and in certain towns be supervised by the city or town clerk).

SECT. 73, paragraph added at end, 1946, 537 § 9. (See 1946, 537 § 12.)

SECT. 75 amended, 1943, 411 § 18.

SECT. 76 revised, 1943, 411 § 19.

SECT. 76A added, 1943, 411 § 20 (requiring a person applying to vote to write his name upon request of any election officer).

SECT. 78 revised, 1932, 135 § 2.

SECT. 79 amended, 1943, 411 § 21.

SECT. 85A added, 1937, 275 § 1 (relative to the challenging of voters at polling places at certain elections, primaries and caucuses). (See 1937, 275 § 2.)

SECT. 86 revised, 1945, 466 § 1.

SECT. 87, subsection (a) revised, 1945, 52; subsection (b) revised, 1936, 404 § 1; amended, 1945, 466 § 2; subsection (c) revised, 1936, 404 § 2; amended, 1937, 162 § 2; 1941, 279 § 2; 1944, 1 § 9; 1945, 231

§§ 1, 2; 466 § 3; subsection (*d*) revised, 1941, 333; subsection (*e*) revised, 1946, 140 § 13.

SECT. 89 revised, 1936, 404 § 3.

SECT. 90 repealed, 1946, 140 § 14.

SECT. 92 revised, 1936, 404 § 4; amended, 1937, 162 § 1; 1941, 279 § 1; revised, 1945, 466 § 4.

SECT. 93 revised, 1936, 404 § 5; amended, 1941, 722 § 8.

SECT. 95 revised, 1936, 404 § 6; amended, 1945, 466 § 5.

SECT. 96 amended, 1936, 404 § 7.

SECT. 98 amended, 1945, 466 § 6.

SECT. 100 revised, 1936, 404 § 8.

SECT. 103A added, 1933, 313 § 1 (providing for absent voting at regular city elections); affected, 1936, 404 § 9; revised, 1937, 77 § 1; first paragraph amended, 1939, 152; paragraph added at end, 1946, 118.

SECT. 104 amended, 1934, 39 § 6.

SECT. 105, fourth paragraph amended, 1938, 341 § 7.

SECT. 107 revised, 1943, 411 § 22; amended, 1946, 93.

SECT. 109 amended, 1943, 411 § 23.

SECT. 112 amended, 1935, 257 § 6; 1939, 31 § 3; first sentence revised, 1946, 130 § 2. (See 1935, 257 § 12.)

SECT. 116, first sentence revised, 1946, 130 § 3.

SECT. 122 amended, 1935, 257 § 7. (See 1935, 257 § 12.)

SECTS. 124-128 repealed, 1946, 130 § 4.

SECT. 132 amended, 1932, 33.

SECT. 133 amended, 1937, 21 § 2.

SECT. 134 amended, 1943, 411 § 24.

SECT. 135, first paragraph amended, 1933, 254 § 17; section revised, 1933, 270; first paragraph revised, 1935, 59 § 1; 1938, 250 § 1; 1941, 236; third paragraph revised, 1937, 303; same paragraph amended, 1941, 350; last paragraph revised, 1938, 250 § 2; paragraph inserted after first paragraph, 1938, 281 § 4; section revised, 1943, 417; paragraph inserted after first paragraph, 1945, 149; first paragraph stricken out and three paragraphs inserted, 1945, 315. (See 1933, 254 § 66.)

SECT. 135A added, 1938, 281 § 5 (relative to the recounting of votes where voting machines are used); amended, 1943, 411 § 25; 1945, 142.

SECT. 137 amended, 1935, 55.

SECT. 138, last paragraph amended, 1937, 23 § 1.

SECT. 139 amended, 1943, 49.

SECT. 141 amended, 1939, 508 § 16; first paragraph stricken out, 1946, 130 § 5; second paragraph amended, 1945, 38 § 7; 1946, 20 § 1.

SECT. 144 revised, 1935, 257 § 8; first paragraph amended, 1939, 31 § 4. (See 1935, 257 § 12.)

SECT. 146 amended, 1935, 257 § 9. (See 1935, 257 § 12.)

SECT. 148 amended, 1937, 23 § 2.

SECT. 151 amended, 1932, 135 § 3.

SECT. 158 amended, 1935, 257 § 10; first paragraph revised, 1939, 31 § 5. (See 1935, 257 § 12.)

SECT. 161 (except last paragraph) amended, 1934, 265; paragraph added at end, 1946, 594. (See 1939, 467.)

Chapter 54A. — Election of City and Town Officers by Proportional Representation and Preferential Voting.

New chapter inserted, 1937, 345.

Chapter inserted by 1937, 345 stricken out and new chapter inserted, 1938, 341 § 1.

SECT. 1 amended, 1941, 345.

SECT. 2, paragraph added at end, 1938, 378 § 17; section revised, 1941, 640 § 6. (See 1941, 640 § 7.)

Chapter 55. — Corrupt Practices and Election Inquests.

SECT. 1 revised, 1943, 318 § 1.

SECT. 5 amended, 1943, 318 § 2.

SECT. 6 amended, 1943, 318 § 3.

SECT. 7 amended, 1938, 75; revised, 1943, 273 § 1.

SECT. 8 revised, 1939, 223.

SECT. 16, sentence added at end, 1941, 280 § 1.

SECT. 17 amended, 1941, 280 § 2.

SECT. 17A added, 1943, 273 § 2 (requiring the filing of statements of receipts and expenditures on account of activities of certain corporations when affected by initiative petitions).

SECT. 19, last sentence revised, 1946, 22.

SECT. 34B added, 1943, 483 § 1 (prohibiting interference with the delivery to voters of circulars and other printed matter or the unlawful removal thereof).

SECT. 34C added, 1945, 602 § 1 (prohibiting distribution of slates of candidates for nomination or election to state office without the party designation of each candidate thereon).

SECT. 36, paragraph inserted after paragraph contained in line 10, 1943, 483 § 2.

SECT. 37 revised, 1943, 318 § 4.

Chapter stricken out and new chapter 55 inserted, 1946, 537 § 10. (See 1946, 537 § 12.)

Chapter 56. — Violations of Election Laws.

SECT. 1 repealed, 1939, 342 § 3.

SECT. 2 revised, 1938, 440 § 18. (See 1938, 440 § 23.)

SECT. 4 amended, 1939, 451 § 12.

SECT. 5 revised, 1938, 440 § 19; sentence added at end, 1943, 320 § 4. (See 1938, 440 § 23.)

SECT. 6 revised, 1938, 440 § 20. (See 1938, 440 § 23.)

SECT. 7 amended, 1938, 440 § 21. (See 1938, 440 § 23.)

SECT. 8 revised, 1938, 440 § 22. (See 1938, 440 § 23.)

SECT. 22 revised, 1938, 341 § 8; amended, 1943, 411 § 26.

SECT. 28 amended, 1938, 341 § 9.

SECT. 33 amended, 1939, 299 § 1.

SECT. 35 amended, 1939, 299 § 2.

SECT. 39 revised, 1933, 289 § 2.

SECT. 40 amended, 1938, 341 § 10.

SECT. 44 amended, 1938, 341 § 11.

SECT. 45 amended, 1938, 341 § 12.

SECT. 48 amended, 1939, 451 § 13.

SECT. 65A added, 1943, 483 § 3 (penalizing interference with the delivery to voters of circulars and other printed matter or the unlawful removal thereof); amended, 1945, 602 § 2.

SECT. 68 amended, 1939, 299 § 3.

Chapter stricken out and new chapter 56 inserted, 1946, 537 § 11. (See 1946, 537, § 12.)

Chapter 57. — Congressional, Councillor and Senatorial Districts, and Apportionment of Representatives.

SECT. 1 revised, 1941, 556.

SECT. 2 revised, 1939, 507 § 1.

SECT. 3 revised, 1939, 507 § 2.

SECT. 4 revised, 1939, 467 § 1. (See 1939, 467 §§ 2, 3, 4.)

SECT. 5. See 1939, 467.

Chapter 58. — General Provisions relative to Taxation.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

SECT. 1, first sentence revised, 1943, 428 § 2; fifth sentence amended, 1932, 180 § 9; same sentence revised, 1937, 108 § 2.

SECT. 2 amended, 1933, 254 § 18; paragraph added at end, 1941, 726 § 2. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 19. (See 1933, 254 § 66.)

SECT. 8 revised, 1935, 322 § 1; revised, 1945, 351 § 2.

SECT. 9 revised, 1939, 346; 1941, 112.

SECT. 10 amended, 1934, 323 § 9. (See 1934, 323 § 11.)

SECT. 11 amended, 1939, 451 § 14; repealed, 1941, 609 § 1.

SECT. 12 amended, 1941, 490 § 13; repealed, 1941, 609 § 1.

SECT. 13 amended, 1933, 254 § 20; amended, 1945, 564. (See 1933, 254 § 66.)

SECT. 14 amended, 1939, 451 § 15.

SECT. 15 amended, 1933, 254 § 21; revised, 1941, 490 § 14. (See 1933, 254 § 66.)

SECT. 17A amended, 1939, 451 § 26.

SECT. 17B added, 1945, 592 § 1 (relative to payments by the commonwealth to certain towns in reimbursement for loss of taxes by reason of property taken for flood control). (See 1945, 592 § 2.)

SECT. 18 revised, 1933, 350 § 7; amended, 1936, 405 § 1; 1939, 451 § 16; 1945, 624 § 1; revised, 1945, 735 § 4; affected, 1933, 357 § 4; 1935, 438 § 2. (See 1933, 307 § 11, 350 § 9; 1936, 362 § 4.)

SECT. 20 revised, 1936, 362 § 3; amended, 1937, 108 § 1; 1941, 656 § 1; introductory paragraph amended, 1945, 624 § 2. (See 1936, 362 §§ 4, 8; 1937, 108 § 3.)

SECT. 20A added, 1936, 376 § 3 (relative to the set-off of money due to the commonwealth from a city or town against sums due to the city or town from the commonwealth).

SECT. 21 amended, 1933, 254 § 22; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECTS. 22 and 23 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 24 amended, 1933, 254 § 23. (See 1933, 254 § 66.)

SECT. 24A revised, 1934, 323 § 2; first sentence amended, 1945, 624 § 3. (See 1934, 323 § 11.)

SECT. 25 revised, 1934, 323 § 3; amended, 1939, 451 § 17; first sentence revised, 1941, 729 § 11; section revised, 1945, 624 § 4; 687. (See 1934, 323 § 11; 1941, 729 § 15.)

SECT. 25A revised, 1934, 323 § 4; first sentence revised, 1945, 624 § 5. (See 1934, 323 § 11.)

SECT. 26 amended, 1933, 254 § 24; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 26A added, 1945, 523 § 1 (relative to abatement of uncollectible taxes).

SECT. 27, first sentence revised, 1943, 521 § 1.

SECT. 29, paragraph (4) stricken out, 1945, 161 § 1.

SECT. 30 revised, 1945, 624 § 6.

SECT. 31 added, under heading "FORMS", 1937, 135 § 1 (relative to forms of application for abatement of taxes and certain other forms and the approval thereof by the commissioner of corporations and taxation).

Chapter 58A. — Appellate Tax Board (former title, Board of Tax Appeals).

SECT. 1 revised, 1937, 400 § 3. (See 1937, 400 §§ 1, 2, 4, 5, 7.)

SECT. 5 revised, 1941, 381, 596 § 24.

SECT. 6 amended, 1932, 180 § 10; revised, 1933, 167 § 4; amended, 1934, 323 § 10; revised, 1938, 478 § 4; first sentence revised, 1941, 609 § 2; same sentence amended, 1941, 726 § 1; same sentence revised, 1945, 367 § 3; section revised, 1945, 621 § 1. (See 1933, 167 § 5; 1934, 323 § 11; 1937, 400 § 1.)

SECT. 7 revised, 1933, 321 § 2; amended, 1939, 451 § 18; 1945, 621 § 2. (See 1933, 321 § 9.)

SECT. 7A added, 1933, 321 § 3 (providing for the establishment of informal procedure before the appellate tax board); revised, 1935, 447; third sentence revised, 1938, 384; 1943, 282; section revised, 1945, 621 § 3. (See 1933, 321 §§ 8, 9.)

SECT. 8 revised, 1933, 321 § 4. (See 1933, 321 § 9.)

SECT. 8A added, 1935, 276 § 1 (providing for adequate discovery in tax appeal cases).

SECT. 10 revised, 1933, 321 § 5. (See 1933, 321 § 9.)

SECT. 12 amended, 1933, 321 § 6. (See 1933, 321 § 9.)

SECT. 12A added, 1943, 430 (relative to taxation of costs by the appellate tax board in certain appeals as to the assessed value where it exceeds the value as recently determined by said board).

SECT. 13 revised, 1933, 321 § 7; one sentence revised, 1933, 350 § 8; same sentence amended, 1935, 218 § 1; 1939, 366 § 1. (See 1933, 321 § 9, 350 § 9.)

Chapter 59. — Assessment of Local Taxes.

For temporary legislation exempting persons in the military and naval service of the United States from the payment of poll taxes, see 1943, 406.

For temporary legislation exempting from taxation certain real property of residents of the commonwealth serving in the armed forces of the United States, and their spouses, see 1943, 412; 1945, 627 § 2.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1943, 568; 1945, 325, 712; 1946, 615.

Temporary act relative to the taking of appeals involving real estate in which closed banks have an interest, 1941, 145 § 2.

As to Boston taxes, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 1 amended, 1936, 202 § 1; revised, 1938, 186 § 3. (See 1936, 202 § 2; 1938, 186 § 5.)

SECT. 3B added, 1946, 393 (to abolish certain implied exemptions from local taxation).

SECT. 5, clause First revised, 1936, 81; 1938, 47; clause Third, subsection (c) amended, 1933, 198 § 1 (see 1933, 198 § 2); clause Eleventh revised, 1938, 317; clause Sixteenth revised, 1936, 362 § 1; 1941, 467 (see 1936, 362 §§ 4, 8); clause Seventeenth revised, 1935, 294; amended, 1939, 451 § 19; revised, 1941, 227 § 1; clause Seventeenth A added, 1938, 186 § 4; sentence added at end, 1943, 559 (see 1938, 186 § 5); clause Eighteenth revised, 1941, 227 § 2; clause Twentieth revised, 1937, 132; 1941, 482; clause Twenty-second amended, 1939, 451 § 20; paragraph (a) amended, 1945, 627 § 1; clause revised, 1946, 579; clause Twenty-third amended, 1932, 114 § 4; clause Thirty-fifth revised, 1939, 24 § 2.

SECT. 5A added, 1941, 227 § 3 (relative to collection of taxes from estates of persons who were relieved therefrom for lack of ability to pay, or otherwise).

SECT. 6 amended, 1933, 254 § 25; 1936, 59 § 1; first paragraph amended, 1941, 440; revised, 1946, 410. (See 1933, 254 § 66; 1936, 59 § 3.)

SECTS. 6 and 7. See 1934, 307.

SECT. 7, first paragraph amended, 1936, 59 § 2; section amended, 1939, 451 § 21; 1945, 367 § 1. (See 1936, 59 § 3.)

SECT. 7A added, 1945, 367 § 2 (relative to payments in lieu of taxes on certain property held by a municipality or district in another municipality).

SECT. 8 amended, 1933, 80, 254 § 26; paragraph added at end, 1935, 119 § 1. (See 1933, 254 § 66; 1935, 119 § 2.)

SECT. 9 amended, 1933, 254 § 27; revised, 1939, 342 § 4. (See 1933, 254 § 66.)

SECT. 10 amended, 1933, 254 § 28. (See 1933, 254 § 66.)

SECT. 11 amended, 1933, 254 § 29; revised, 1936, 92; 1939, 175. (See 1933, 254 § 66.)

SECT. 16 amended, 1937, 114.

SECT. 18, opening paragraph and clauses First and Second amended, 1933, 254 § 30; clause Second revised, 1936, 362 § 2. (See 1933, 254 § 66; 1936, 362 § 8.)

SECT. 19 amended, 1933, 254 § 31; revised, 1945, 143. (See 1933, 254 § 66.)

SECT. 20 revised, 1933, 254 § 32; amended, 1936, 376 § 1; revised, 1946, 432 § 1. (See 1933, 254 § 66.)

SECT. 21 revised, 1933, 254 § 33; 1936, 376 § 2; second sentence amended, 1945, 624 § 7; first three sentences stricken out and five sentences inserted, 1946, 432 § 2. (See 1933, 254 § 66.)

SECT. 23, paragraph added at end, 1938, 175 § 2.

SECT. 27 amended, 1936, 118 § 2. (See 1936, 118 § 3.)

SECT. 29, last three sentences revised, 1933, 254 § 34. (See 1933, 254 § 66.)

SECT. 33 amended, 1933, 254 § 35. (See 1933, 254 § 66.)

SECT. 39 amended, 1933, 254 § 36; 1939, 451 § 22. (See 1933, 254 § 66.)

SECT. 41 amended, 1933, 254 § 37. (See 1933, 254 § 66.)

SECT. 45 amended, 1933, 254 § 38; form appended to section amended, 1933, 254 § 39. (See 1933, 254 § 66.)

SECT. 47 amended, 1933, 254 § 40. (See 1933, 254 § 66.)

SECT. 49 amended, 1933, 254 § 41. (See 1933, 254 § 66.)

SECT. 57 amended, 1933, 151 § 1; revised, 1933, 254 § 42; 1935, 158 § 1; amended, 1937, 203 § 1; revised, 1938, 330 § 1; 1941, 258 § 1. (See 1933, 151 § 2, 254 § 66; 1935, 158 § 2; 1937, 203 § 2; 1938, 330 § 2.)

SECT. 59, sentence added at end, 1933, 165 § 1; section revised, 1933, 254 § 43, 266 § 1; 1934, 136 § 2; amended, 1935, 187 § 1; revised, 1939, 250 § 1; first sentence revised, 1943, 166 § 1; 1945, 621 § 4; 1946, 199 § 1. (See 1933, 254 § 66, 266 § 2; 1934, 136 § 3; 1935, 187 § 2; 1946, 199 § 2.)

SECT. 60 revised, 1941, 209; 1945, 620.

SECT. 61, last sentence revised, 1933, 165 § 2.

SECT. 61A added, 1935, 276 § 2 (providing for adequate discovery in proceedings for tax abatement).

SECT. 63 amended, 1943, 79.

SECT. 64, first paragraph amended, 1933, 130 § 1; second paragraph amended, 1935, 218 § 2; section revised, 1937, 400 § 6; 1938, 478 § 1; first sentence amended, 1939, 31 § 6; first paragraph revised, 1945, 621 § 5; second paragraph amended, 1939, 366 § 2; 1943, 248. (See 1937, 400 §§ 1-5, 7.)

SECT. 65 amended, 1933, 130 § 2, 167 § 1; revised, 1938, 478 § 2; 1939, 31 § 7; first sentence revised, 1945, 621 § 6.

SECT. 65A added, 1932, 218 § 1 (providing that the sale or taking of real property for payment of unpaid taxes thereon shall not prejudice proceedings for the abatement of such taxes); revised, 1933, 325 § 18. (See 1932, 218 § 2; 1933, 325 § 19.)

SECT. 65B added, 1938, 478 § 3 (relative to appeals to the appellate tax board from the refusal of assessors to abate certain taxes on real estate); revised, 1945, 621 § 7.

SECT. 69 amended, 1935, 218 § 3; 1939, 366 § 3.

SECT. 70A added, 1945, 351 § 1 (regulating the procedure after abatement of a local tax, assessment, rate or charge).

SECT. 73 amended, 1933, 254 § 44. (See 1933, 254 § 66.)

SECT. 74 amended, 1933, 254 § 45; 1939, 24 § 3; 1945, 137. (See 1933, 254 § 66.)

SECT. 75 amended, 1934, 104; first sentence revised, 1946, 339.

SECT. 77 revised, 1945, 333.

SECT. 78 amended, 1941, 258 § 5.

SECT. 79 amended, 1938, 150 § 1; last sentence revised, 1946, 251 § 2. (See 1946, 251 § 3.)

SECT. 83 amended, 1933, 254 § 46; 1939, 24 § 4. (See 1933, 254 § 66.)

SECT. 84 amended, 1933, 254 § 47. (See 1933, 254 § 66.)

SECT. 85 amended, 1933, 254 § 48; repealed, 1945, 271. (See 1933, 254 § 66.) Affected, 1941, 609.

SECT. 86 amended, 1933, 254 § 49. (See 1933, 254 § 66.)

Chapter 60. — Collection of Local Taxes.

Temporary act relative to the care and disposal of land acquired by cities and towns through foreclosure of tax titles, 1938, 358; amended

to include care and disposal of lands of low value acquired by cities and towns through purchase, 1939, 123; further amended and extended, 1941, 296.

SECT. 1, third paragraph revised, 1933, 164 § 1; last two paragraphs amended, 1943, 37 § 1.

SECT. 3 revised, 1933, 254 § 50; amended, 1941, 258 § 2; 1943, 37 § 2; sentence inserted after third sentence, 1943, 166 § 2. (See 1933, 254 § 66.)

SECT. 3A added, 1934, 136 § 1 (requiring that certain information relative to abatement or exemptions be included in tax bills); amended, 1936, 156; revised, 1943, 166 § 3, 564 § 1. (See 1934, 136 § 3; 1943, 564 § 2.)

SECT. 3B added, 1935, 322 § 2 (relative to the suspension of payment of certain assessments payable by certain persons entitled to exemption from local taxes).

SECT. 4 revised, 1939, 342 § 5.

SECT. 5 revised, 1933, 168 § 2; amended, 1941, 258 § 3.

SECT. 13, sentence added at end, 1937, 143 § 5; section revised, 1939, 44; 1941, 308.

SECT. 15, first paragraph amended, 1934, 151 § 2; 1935, 252 § 1; section revised, 1943, 179.

SECT. 15A added, 1935, 252 § 2 (further regulating charges and fees for the collection of poll taxes).

SECT. 16 revised, 1933, 168 § 1; amended, 1933, 254 § 51. (See 1933, 168 § 4, 254 § 66.)

SECT. 18 repealed, 1932, 54 § 1.

SECT. 22 revised, 1933, 254 § 52; affected, 1933, 308. (See 1933, 254 § 66.)

SECT. 22A added, 1941, 573 § 1 (relative to bills for taxes on parcels of real estate and payments on account thereof). (See 1941, 573 § 2.)

SECT. 23 revised, 1932, 197 § 1; two sentences added at end, 1943, 478 § 3.

SECT. 35 revised, 1938, 150 § 2; 1946, 251 § 1. (See 1946, 251 § 3.)

SECT. 37 amended, 1933, 254 § 53, 325 § 1; 1934, 131 § 2; revised, 1934, 169; amended, 1935, 269; 1936, 146; last sentence revised. 1941, 84 § 1; section revised, 1943, 478 § 1. (See 1933, 254 § 66; 1934, 131 § 3; 1941, 84 § 2.)

SECT. 37A added, 1943, 478 § 2 (relative to the continuance of local tax liens during the existence of legal impediments to sales or takings thereunder).

SECT. 38 amended, 1933, 254 § 54, 325 § 2. (See 1933, 254 § 66, 325 § 21.)

SECT. 39 amended, 1933, 325 § 3.

SECT. 42 revised, 1933, 164 § 2.

SECT. 43, last sentence revised, 1932, 54 § 2; section amended, 1935, 183, 236.

SECT. 45 amended, 1933, 325 § 4; 1937, 209; 1938, 339 § 1.

SECT. 46, paragraph added at end, 1934, 131 § 1.

SECT. 48 amended, 1933, 325 § 5. (See 1933, 325 § 20.)

SECT. 50 revised, 1933, 325 § 6; amended, 1935, 414 § 1; 1936, 93 § 2; amended, 1941, 319 § 1. (See 1935, 414 § 4; 1941, 319 §§ 3, 4.)

SECT. 50A added, 1934, 154 § 2 (providing for protection of interests in real estate held under tax sales or takings).

SECT. 50B added, 1946, 185 (requiring cities and towns to appropriate or provide sums necessary for foreclosure of tax titles by proceedings in the land court).

SECT. 51 amended, 1933, 254 § 55. (See 1933, 254 § 66.)

SECT. 52 revised, 1936, 392 § 1.

SECT. 53 revised, 1933, 164 § 3. (See 1933, 325 § 20.)

SECT. 54 amended, 1933, 325 § 7; 1938, 339 § 2.

SECT. 55 amended, 1933, 325 § 8.

SECT. 58 revised, 1932, 2; 1939, 250 § 2.

SECT. 59 amended, 1933, 254 § 56. (See 1933, 254 § 66.)

SECT. 60 revised, 1945, 130.

SECT. 61 revised, 1933, 325 § 9; amended, 1934, 48; 1936, 93 § 1. (See 1933, 325 § 20.)

SECT. 61A added, 1943, 188 (relative to taking for nonpayment of taxes lands subject to tax titles held by municipalities when the assessment unit is changed).

SECT. 62 revised, 1933, 325 § 10; first paragraph amended, 1934, 218; same paragraph revised, 1935, 414 § 2; second paragraph revised, 1935, 278; section revised, 1936, 392 § 2; second paragraph amended, 1941, 231; paragraph inserted after the second paragraph, 1938, 415 § 5. (See 1935, 414 § 4.)

SECT. 63 amended, 1933, 325 § 11; revised, 1936, 392 § 3.

SECT. 65 amended, 1933, 325 § 12; 1938, 305.

SECT. 66 amended, 1935, 224 § 1. (See 1935, 224 § 6.)

SECT. 67 amended, 1935, 224 § 2. (See 1935, 224 § 6.)

SECT. 68 amended, 1935, 224 § 3; paragraph added at end, 1935, 354 § 1; section amended, 1935, 414 § 3. (See 1935, 224 § 6, 354 § 3, 414 § 4.)

SECT. 69 amended, 1935, 224 § 4; sentence added at end, 1945, 226 § 1. (See 1935, 224 § 6.)

SECT. 69A added, 1945, 226 § 2 (relative to the conclusiveness of decrees foreclosing tax titles).

SECT. 70 amended, 1935, 224 § 5. (See 1935, 224 § 6.)

SECT. 71 amended, 1941, 319 § 2. (See 1941, 319 §§ 3, 4.)

SECT. 75 amended, 1936, 189 § 1.

SECT. 76 revised, 1935, 318 § 1; amended, 1936, 189 § 2. (See 1935, 318 §§ 2, 8.)

SECT. 76A added, 1935, 354 § 2 (providing for redemption in part from tax sales in certain cases); paragraph added at end, 1939, 181. (See 1935, 354 § 3.)

SECT. 76B added, 1938, 415 § 6 (relative to the effect of errors or irregularities in respect to water rates and charges included in a tax title account).

SECT. 76C added, 1945, 268 (providing for notice to certain municipal officers of certain action in connection with tax titles).

SECT. 77, paragraph added at end, 1938, 339 § 3.

SECT. 77A added, 1945, 78 (relative to recording of deeds of cities and towns conveying land acquired through foreclosure of tax titles).

SECT. 78 amended, 1933, 325 § 13; repealed, 1936, 194. (See 1933, 325 § 20.)

SECT. 79, second paragraph amended, 1933, 325 § 14; 1935, 173 § 1; section revised, 1941, 594 § 1.

SECT. 80 amended, 1933, 325 § 15; revised, 1935, 173 § 2; amended, 1941, 594 § 2. (See 1939, 123; 1941, 296.)

SECTS. 80A and 80B added, 1941, 594 § 3 (relative to the validity of title acquired at sales of lands of low value held by cities and towns under tax titles).

SECT. 80B revised, 1946, 302.

SECT. 82 amended, 1945, 267 § 1.

SECT. 83 amended, 1945, 267 § 2.

SECT. 84 revised, 1935, 260.

SECT. 84A revised, 1933, 325 § 16; 1935, 181 § 1. (See 1935, 181 § 2.)

SECT. 92 revised, 1933, 82 § 1; amended, 1934, 259 § 1.

SECT. 93 revised, 1943, 199; last sentence revised, 1945, 397 § 2. (See 1945, 397 § 3.)

SECT. 95 revised, 1933, 325 § 17; amended, 1934, 315 § 2; revised, 1935, 248 § 3; amended, 1939, 451 § 23; 1941, 380 § 6; sentence added at end, 1943, 107. (See 1934, 315 § 3.)

SECT. 97 revised, 1934, 151 § 1.

SECT. 104 revised, 1937, 43.

SECT. 105 revised, 1933, 168 § 3; 1941, 258 § 4.

Form 2 in schedule at end of chapter repealed, 1932, 54 § 1; schedule of forms at end of chapter stricken out, 1933, 168 § 3.

Chapter 60A. — Excise Tax on Registered Motor Vehicles in Lieu of Local Tax.

SECT. 1, first paragraph amended, 1936, 384 § 1; last paragraph amended, 1936, 384 § 2; paragraph added at end, 1938, 111; section revised, 1938, 480 § 1; fourth paragraph amended, 1941, 718 § 1. (See 1941, 718 § 2.)

SECT. 2 revised, 1936, 384 § 3; 1938, 480 § 2; ninth sentence amended, 1939, 366 § 4.

SECT. 2A added, 1938, 492 § 1 (providing for the suspension of certificates of registration in cases of nonpayment of the excise on registered motor vehicles); last sentence stricken out, 1943, 18; second sentence revised, 1945, 443.

SECT. 3 revised, 1936, 384 § 4; 1938, 480 § 3.

SECT. 4 revised, 1938, 480 § 4, 492 § 2.

SECT. 6 amended, 1936, 384 § 5; revised, 1938, 480 § 5.

Chapter 61. — Classification and Taxation of Forest Lands and Forest Products (former title Taxation of Forest Products and Classification and Taxation of Forest Lands).

SECT. 3 amended, 1933, 254 § 57. (See 1933, 254 § 66.)

SECT. 5 amended, 1941, 490 § 15.

Chapter stricken out, and new chapter 61 (with new title) inserted, 1941, 652 § 1. (See 1941, 652 § 2.)

SECT. 1, first paragraph stricken out and two paragraphs inserted, 1943, 461 § 1. (See 1943, 461 §§ 4 and 5.)

SECT. 2, second schedule and all preceding such schedule revised, 1943, 461 § 2. (See 1943, 461 §§ 4 and 5.)

SECT. 6 amended, 1943, 461 § 3. (See 1943, 461 §§ 4 and 5.)

Chapter 62. — Taxation of Incomes.

For legislation establishing an additional tax upon personal incomes to provide funds for old age assistance. See 1941, 729 §§ 9, 15.

For temporary legislation relative to the taxation of dividends of certain corporations, see 1933, 307, 357; 1935, 489; 1936, 82 § 1; 1937, 395; 1938, 489 §§ 2-5; 1939, 373; 1941, 331; 1943, 285.

For temporary legislation providing for additional taxes upon personal incomes, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 § 19; 1941, 416 §§ 1, 3; 1943, 482 §§ 1, 3, 4; 1945, 557 §§ 1, 3, 4.

For temporary legislation relative to the payment of income taxes by persons who served in the armed forces of the United States during the existing war, see 1946, 604.

SECT. 1, subsection (a), paragraph Fifth added, 1946, 539; subsection (b) revised, 1945, 735 § 1; subsection (c), paragraph Third added, 1935, 489 § 6; subsection (e) amended, 1935, 489 § 7. (See 1945, 735 § 5.)

SECT. 3 revised, 1943, 45 § 1.

SECT. 5, paragraph (b) amended, 1935, 489 § 8; same paragraph revised, 1939, 486 § 1; paragraph (c) revised, 1934, 363 § 1; 1935, 481 § 1. (See 1934, 363 § 2; 1935, 481 § 2; 1939, 486 § 3.)

SECT. 6, clause (g) revised, 1935, 436 § 1; clause (h) revised, 1943, 511. (See 1935, 436 § 2.)

SECTS. 7A and 7B added, 1935, 438 § 1 (relative to income taxation of gains from certain transactions in real property).

SECT. 8, paragraph added at end, 1945, 625 § 4.

SECT. 18. See Sect. 18 of Chapter 58 in this Table.

SECT. 21A added, under caption "PRESUMPTION AS TO INHABITANCY", 1936, 310 (providing that individuals under certain circumstances shall be presumed to be inhabitants of the Commonwealth for income tax purposes); repealed, 1938, 489 § 8.

SECT. 22 revised, 1939, 486 § 2. (See 1939, 486 § 3.)

SECT. 24 revised, 1943, 45 § 2.

SECT. 25A added, 1935, 438 § 3 (relative to returns of taxable gains from certain transactions in real property).

SECT. 30 amended, 1935, 152.

SECT. 31 revised, 1943, 45 § 3.

SECT. 33, first paragraph revised, 1943, 45 § 4; second paragraph revised, 1945, 735 § 2; paragraph added, 1932, 186. (See 1945, 735 § 5.)

SECT. 36 amended, 1933, 167 § 2.

SECT. 37 revised, 1933, 350 § 1. (See 1933, 350 § 9.)

SECT. 37A added, 1933, 350 § 2 (providing for the payment of income taxes in two installments). (See 1933, 350 § 9.)

SECT. 39, first sentence revised, 1933, 350 § 3. (See 1933, 350 § 9.)

SECT. 41 revised, 1932, 152; 1933, 350 § 4. (See 1933, 350 § 9.)

SECT. 43 amended, 1933, 350 § 5; 1937, 135 § 2. (See 1933, 350 § 9.)

SECT. 45 amended, 1939, 451 § 24; last sentence stricken out, 1945, 523 § 2.

SECT. 46 revised, 1933, 350 § 6. (See 1933, 350 § 9.)

SECT. 56 revised, 1943, 45 § 5.

Chapter 63. — Taxation of Corporations.

SECT. 1, paragraph defining "Bank" revised, 1943, 472; paragraph defining "Net income" revised, 1933, 327 § 1. (See 1933, 327 § 7.)

SECT. 2 amended, 1933, 327 § 2; 1939, 451 § 25; 1941, 509 § 3. (See 1933, 327 § 7; 1941, 509 § 9.)

SECT. 3 amended, 1933, 254 § 58; 1934, 323 § 5; 1945, 161 § 2. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 4 amended, 1939, 368; 1941, 509 § 4. (See 1941, 509 § 9.)

SECT. 5 amended, 1933, 254 § 59; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 6 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 12, paragraph (c) amended, 1937, 274 § 1; paragraph (h) added at end, 1934, 362.

SECT. 18 revised, 1939, 447 § 1. (See 1939, 447 § 3.)

SECT. 18A amended, 1939, 447 § 2. (See 1939, 447 § 3.)

SECT. 20 amended, 1941, 509 § 5; revised, 1943, 531 § 1. (See 1941, 509 § 9; 1943, 531 §§ 2, 3, 7.)

SECT. 22 revised, 1945, 721 § 1; amended, 1946, 387 § 1. (See 1945, 721 § 5; 1946, 387 § 7.)

SECT. 23 revised, 1945, 721 § 2; amended, 1946, 387 § 2. (See 1945, 721 § 5; 1946, 387 § 7.)

SECT. 24 amended, 1943, 531 § 4; revised, 1945, 721 § 3. (See 1943, 531 § 7; 1945, 721 § 5.)

SECT. 25 amended, 1943, 531 § 5; 1945, 721 § 4. (See 1943, 531 § 7; 1945, 721 § 5.)

SECT. 26 amended, 1946, 387 § 3. (See 1946, 387 § 7.)

SECT. 27 amended, 1946, 387 § 4. (See 1946, 387 § 7.)

SECT. 28 amended, 1939, 451 § 27; 1941, 509 § 6; revised, 1943, 531 § 6; paragraph inserted after second paragraph, 1945, 342; second and third paragraphs revised, 1946, 387 § 5. (See 1941, 509 § 9; 1943, 531 § 7; 1946, 387 § 7.)

SECT. 29A added, 1946, 387 § 6 (relative to the taxation of marine and fire and marine insurance companies). (See 1946, 387 § 7.)

SECTS. 30-51. See 1934, 317 § 2.

SECTS. 30-60. For legislation establishing an additional tax under these sections to provide funds for old age assistance, see 1941, 729 §§ 9, 15.

For temporary legislation providing for additional taxes levied under these sections, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 § 19; 1941, 416 §§ 1, 3; 1943, 482 §§ 1, 3, 4; 1945, 557 §§ 1, 3, 4.

SECT. 30, paragraph 2 revised, 1943, 459 § 1; paragraph 3, subdivision (a) revised, 1939, 24 § 5; paragraph contained in lines 48-51 amended, 1933, 58 § 3, revised, 1943, 459 § 2; paragraph contained in lines 52-69 revised, 1934, 237 § 1; paragraph 4, subdivision (a) revised, 1939, 24 § 6; paragraph contained in lines 70-74 amended, 1933, 58 § 4, revised, 1934, 237 § 1, 1943, 459 § 3; paragraph 5 revised, 1933, 327 § 3. (See 1933, 58 § 5, 327 § 7; 1934, 237 § 2.)

SECT. 32 revised, 1933, 342 § 1; amended, 1936, 362 § 5; 1939, 363 § 1. (See 1933, 342 § 6; 1936, 362 § 8; 1939, 363 § 2.)

SECT. 32A amended, 1933, 342 § 2. (See 1933, 342 § 6.)

SECT. 33 revised, 1933, 303 § 1. (See 1933, 303 § 3.)

SECT. 34 amended, 1933, 327 § 4. (See 1933, 327 § 7.)

SECT. 35 revised, 1933, 58 § 1.

SECT. 36 revised, 1933, 327 § 5; amended, 1935, 473 § 2. (See 1933, 327 § 7; 1935, 473 § 7.)

SECT. 38, paragraph 10 added at end, 1933, 342 § 3. (See 1933, 342 § 6.)

SECT. 38B, last paragraph amended, 1935, 473 § 3. (See 1935, 473 § 7.) [For temporary legislation affecting taxation, during the years 1934 to 1946, inclusive, of corporations subject to this section, see 1934, 317 § 1; 1935, 489 § 4; 1937, 395 § 5; 1938, 489 § 6; 1939, 373 § 5; 1941, 331 § 5; 1943, 285 § 5.]

SECT. 38C revised, 1937, 383 § 1. (See 1937, 383 § 3.)

SECT. 39, subsection (1) revised, 1936, 362 § 6; last paragraph amended, 1933, 327 § 6; new paragraph added at end, 1933, 342 § 4. (See 1933, 327 § 7, 342 § 6; 1936, 362 § 8.)

SECT. 39A revised, 1933, 303 § 2; first paragraph amended, 1934, 134. (See 1933, 303 § 3.)

SECT. 40 revised, 1933, 58 § 2.

SECT. 42, last sentence amended, 1932, 180 § 11; section revised, 1933, 342 § 5. (See 1933, 342 § 6.)

SECT. 42B revised, 1937, 383 § 2. (See 1937, 383 § 3.)

SECT. 43 repealed, 1945, 735 § 3. (See 1933, 307 § 9A; 1935, 489 § 2; 1937, 395 § 2; 1938, 489 § 3; 1939, 373 § 2; 1941, 331 § 2; 1943, 285 § 2.)

SECT. 44 amended, 1935, 473 § 4; 1936, 362 § 7. (See 1935, 473 § 7; 1936, 362 § 8.)

SECT. 45 amended, 1933, 195 § 1; revised, 1935, 473 § 5; amended, 1943, 395. (See 1933, 195 § 2; 1935, 473 § 7.)

SECT. 48 revised, 1935, 473 § 1. (See 1935, 473 § 7.)

SECT. 52, second sentence amended, 1946, 394 § 1; fourth sentence amended, 1946, 394 § 2.

SECT. 53, first paragraph amended, 1933, 254 § 60; 1941, 509 § 7; clause Fourth revised, 1934, 323 § 6. (See 1933, 254 § 66; 1934, 323 § 11; 1941, 509 § 9.)

SECT. 54, paragraph in lines 9-17 amended, 1933, 254 § 61; same paragraph revised, 1934, 323 § 7; last paragraph amended, 1934, 323 § 7A. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 55, first paragraph amended, 1936, 134; section amended, 1939, 24 § 7.

SECT. 56A revised, 1934, 317 § 3. (See 1934, 317 § 4.)

SECT. 59 amended, 1934, 323 § 8. (See 1934, 323 § 11.)

SECT. 60 amended, 1939, 451 § 28; 1941, 509 § 8. (See 1941, 509 § 9.)

SECT. 68A amended, 1939, 24 § 8.

SECT. 70 revised, 1935, 473 § 6. (See 1935, 473 § 7.)

SECT. 71 amended, 1933, 167 § 3; 1939, 451 § 29; last sentence stricken out, 1945, 523 § 3.

SECT. 71A amended, 1935, 150; 1939, 451 § 30.

SECT. 71B added, 1937, 135 § 3 (providing that applications for abatement or correction of taxes, made pursuant to any provision of this chapter, shall be in writing upon forms approved by the commissioner).

SECT. 81 revised, 1939, 24 § 9.

Chapter 64. — Taxation of Stock Transfers.

SECT. 6 amended, 1939, 451 § 31.

Chapter 64A. — Taxation of Sales of Gasoline and Certain Other Motor Vehicle Fuel.

Chapter affected, 1932, 248; 1935, 336; 1936, 398; 1938, 431 § 2; 1939, 408; 1941, 330; 1943, 270; 1945, 571.

SECT. 1, paragraph (d) revised, 1936, 357 § 1; paragraph (g) amended, 1941, 490 § 16. (See 1936, 357 § 3.)

SECT. 3, last sentence amended, 1943, 420 § 1.

SECT. 4 revised, 1938, 431 § 1, paragraph added at end, 1945, 556.

SECT. 5 amended, 1936, 357 § 2; 1939, 451 § 32; revised, 1943, 420 § 2. (See 1936, 357 § 3.)

SECT. 7 revised, 1943, 420 § 3.

SECT. 10 amended, 1939, 451 § 33; revised, 1943, 420 § 4.

SECT. 12 revised, 1941, 490 § 17.

Chapter 64B. — Excise upon Charges for Meals served to the Public.

New chapter inserted, 1941, 729 § 17. (See 1941, 729 § 15.)

SECT. 1, definition of "taxable charge," revised, 1945, 663 § 1; 1946, 326 § 1.

SECT. 2 revised, 1945, 663 § 2; 1946, 326 § 2.

SECT. 3 revised, 1945, 663 § 3; 1946, 326 § 3.

SECT. 6, paragraph added at end, 1943, 521 § 2.

SECT. 7 revised, 1946, 564.

Chapter 64C. — Cigarette Excise.

New chapter inserted, 1945, 547 § 1. (See 1945, 547 §§ 2, 3; 731 § 9.)

For legislation providing for temporary cigarette taxes, see 1939, 454 §§ 1-18; 1941, 417, 715; 1943, 407.

Chapter 65. — Taxation of Legacies and Successions.

For legislation establishing an additional tax upon legacies and successions to provide funds for old age assistance, see 1941, 729 §§ 9A, 15.

For temporary legislation providing for additional taxes upon legacies and successions, see 1935, 480; 1936, 397; 1937, 422; 1938, 502; 1939, 454 §§ 20, 22; 1941, 416 §§ 2, 3; 1943, 482 §§ 2, 3, 4; 1945, 557 §§ 2, 3, 4.

SECT. 1, table revised, 1933, 293; 1941, 415 § 1; first sentence revised, 1941, 605 § 1. (See 1941, 415 § 2, 605 § 2.)

SECT. 3 amended, 1939, 380.

SECTS. 24A-24F added, 1933, 319 (providing reciprocal relations in respect to death taxes upon estates of non-resident decedents).

SECT. 25 amended, 1939, 451 § 34; revised, 1939, 494 § 1.

SECT. 26 amended, 1939, 451 § 35; revised, 1939, 494 § 2.

SECT. 32 amended, 1939, 451 § 36; last sentence stricken out, 1945, 523 § 4.

Chapter 65A. — Taxation of Transfers of Certain Estates.

SECT. 1, paragraph added at end, 1932, 284; second paragraph revised, 1933, 316 § 1; section amended, 1937, 420 § 1. (See 1933, 316 § 2; 1937, 420 § 4.)

SECT. 5 stricken out, and new sections 5-5B inserted, 1943, 519 § 1 (providing for the equitable apportionment in certain cases of estate taxes and the collection and payment thereof). (See 1943, 519 § 2.)

SECT. 6 amended, 1937, 420 § 2; last sentence revised, 1943, 471; 1945, 529. (See 1937, 420 § 4.)

SECT. 7 repealed, 1937, 420 § 3. (See 1937, 420 § 4.)

**Chapter 65B. — Settlement of Disputes respecting the Domicile of Dece-
dents for Death Tax Purposes.**

New chapter inserted, 1943, 428 § 1. (See 1943, 428 § 3.)

Chapter 66. — Public Records.

SECT. 1 amended, 1945, 580 § 7.

SECT. 3 revised, 1936, 305; 1941, 662 § 1.

SECTS. 5, 7 and 16 affected, 1941, 662 § 2.

SECT. 8 amended, 1943, 128.

SECT. 15 amended, 1939, 40.

SECT. 17A added, 1941, 630 § 1 (making records relating to old age assistance, aid to dependent children and aid to the blind confidential); revised, 1943, 169; amended, 1945, 240 § 1; revised, 1946, 67.

SECT. 18 amended, 1945, 393 § 6.

Chapter 67. — Parishes and Religious Societies.

SECT. 7 revised, 1945, 28.

Chapter 68. — Donations and Conveyances for Pious and Charitable Uses.

SECT. 10, sentence added at end, 1934, 238.

SECT. 15 amended, 1946, 23.

Chapter 69. — Powers and Duties of the Department of Education.

SECT. 6 amended, 1932, 127 § 3.

SECT. 7 amended, 1935, 275; 1937, 213, 327; 1938, 315; revised, 1938, 424; amended, 1941, 351 § 6, 561; revised, 1943, 403.

SECT. 7A added, 1946, 439 § 1 (extending to certain members of the armed forces, and to veterans of World War II, university extension courses free of charge). (See 1946, 439 § 2.)

SECT. 7B added, 1946, 548 § 1 (relative to higher educational opportunities for children of certain deceased members or former members of the armed forces).

SECT. 8 amended, 1932, 127 § 4.

SECT. 9 amended, 1938, 442 § 1.

SECT. 9A added, 1938, 442 § 2 (further regulating education in the

use of English and certain other subjects adapted to fit persons for American citizenship).

SECT. 11 revised, 1939, 409 § 4. (See 1939, 409 §§ 1, 5.)

SECT. 19 amended, 1943, 89 § 1.

SECT. 19A added, 1943, 89 § 2 (requiring reports to the director of the division of the blind of results of examinations of blind persons).

SECT. 19B added, 1945, 554 (providing for examinations by ophthalmologists of certain applicants for aid to the blind).

SECT. 23 revised, 1943, 526; paragraph added at end, 1945, 541 § 1.

SECT. 23A added, 1938, 28 (requiring the furnishing of information to the director of the division of the blind by certain banks and other depositories).

SECT. 23B added, 1945, 541 § 2 (relative to granting aid or assistance to certain blind persons).

SECT. 25 revised, 1935, 397.

SECTS. 25A-25E added, 1938, 329 (regulating the raising of funds for the benefit of the blind).

SECT. 26, first paragraph amended, 1945, 524; paragraph added at end, 1935, 286.

SECT. 26A added, 1941, 630 § 2 (relative to information concerning recipients of aid to the blind).

SECT. 29 added, 1938, 313 (relative to instruction in lip reading for certain school children whose hearing is defective).

SECTS. 30 and 31 added, 1943, 549 § 3, under caption "Board of Collegiate Authority" (relative to approval by said board of the organization of certain educational institutions and of certain amendments to their charters).

Chapter 70. — School Funds and Other State Aid for Public Schools.

SECT. 1A added, 1941, 524 (relative to reimbursement to cities and towns for certain school salaries).

SECT. 2 amended, 1932, 127 § 5; paragraph (3) revised, 1943, 12; paragraphs (1), (2) and (3) revised, 1945, 563.

SECT. 4, last paragraph amended, 1934, 143.

SECT. 6 amended, 1932, 127 § 6.

SECT. 6A added, 1945, 579 § 1 (providing for the identification of state payments to municipalities as part reimbursement for school expenditures).

SECT. 11, paragraph contained in lines 6-9 revised, 1943, 14; paragraph (3) revised, 1941, 532.

SECT. 17A added, 1945, 579 § 2 (providing for the identification of state allotments to municipalities from the Massachusetts School Fund).

SECT. 18 amended, 1932, 127 § 7.

Chapter 71. — Public Schools.

SECT. 2 amended, 1938, 246 § 1.

SECT. 7 amended, 1941, 590.

SECT. 13A added, 1938, 241 (requiring the teaching of the Italian language in certain public high schools in certain cases).

SECT. 13B added, 1939, 311 (relative to the teaching of modern languages in certain public high schools).

SECT. 13C added, 1945, 402 (requiring the teaching of the Polish language in certain public high schools in certain cases).

SECT. 19 amended, 1939, 461 § 1.

SECT. 21 amended, 1945, 133 § 1.

SECTS. 26A-26F added, 1946, 165 § 1 (providing for extended school services for certain children of certain employed mothers). (See 1946, 165 §§ 2, 3.)

SECT. 30A added, 1935, 370 § 1 (requiring that an oath or affirmation be taken and subscribed to by certain professors, instructors and teachers in the colleges, universities and schools of the commonwealth). (See 1935, 370 §§ 2, 2A, 3.)

SECT. 34 revised, 1939, 294.

SECTS. 34A and 34B added, 1943, 547 (requiring persons operating or maintaining educational institutions to furnish, upon request, certain transcripts of records).

SECTS. 38A-38F added, 1941, 676 § 2 (relative to occupational guidance and placement). (See 1941, 646.)

SECT. 40 amended, 1941, 507; 1943, 494; revised, 1945, 727 § 1; two sentences added at end, 1946, 527 § 1. (See 1945, 727 § 2; 1946, 527 §§ 2, 3.)

SECT. 42 revised, 1934, 123; sentence inserted in line 27, 1946, 195.

SECT. 42A added, 1945, 330 (giving certain rights to school principals and supervisors in cases of demotion).

SECT. 46 amended, 1941, 194 § 4.

SECT. 46A amended, 1932, 159; revised, 1945, 534; 1946, 357.

SECT. 47 revised, 1935, 199.

SECT. 48A amended, 1935, 47.

SECT. 52 amended, 1932, 90.

SECT. 54 amended, 1938, 265 § 1; 1945, 133 § 2.

SECT. 55 revised, 1938, 265 § 2.

SECT. 55A added, 1938, 265 § 3 (relative to the disposition of children showing signs of ill health or of being infected with a dangerous disease).

SECT. 56 revised, 1938, 265 § 4.

SECT. 57 revised, 1943, 384.

SECT. 58 amended, 1932, 127 § 8; revised, 1935, 287; repealed, 1945, 543 § 1.

SECT. 63, paragraph added at end, 1945, 223 § 1. (See 1945, 223 § 2.)

SECT. 66, paragraph added at end, 1937, 281.

SECT. 68 revised, 1934, 97 § 1. (See 1934, 97 § 2.)

SECT. 69 revised, 1935, 258.

SECT. 71 amended, 1935, 193.

Chapter 72. — School Registers and Returns.

SECT. 3, paragraph in lines 6-10 revised, 1939, 461 § 2.

Chapter 73. — State Teachers Colleges (former title, State Normal Schools).

Title changed, 1932, 127 § 9.

SECT. 1 amended, 1932, 127 § 10.

SECT. 2 amended, 1932, 127 § 11.

SECT. 2A added, 1938, 246 § 2 (making the constitutions of the United States and of this Commonwealth required subjects of instruction in State Teachers Colleges).

SECT. 3 amended, 1932, 127 § 12.

SECT. 4 amended, 1932, 127 § 13.

SECT. 4A amended, 1932, 127 § 14.

SECT. 5 amended, 1932, 127 § 15. (Temporarily affected, 1933, 233; 1934, 130; 1935, 277.)

SECT. 6 amended, 1932, 127 § 16.

SECT. 7 amended, 1932, 127 § 17; revised, 1935, 21.

Chapter 74. — Vocational Education.

SECT. 1 revised, 1938, 446 § 1; amended, 1941, 617 § 1. (See 1938, 446 § 14.)

SECT. 2 amended, 1938, 446 § 2. (See 1938, 446 § 14.)

SECT. 3 amended, 1938, 446 § 3. (See 1938, 446 § 14.)

SECT. 4 amended, 1938, 446 § 4. (See 1938, 446 § 14.)

SECT. 6 amended, 1938, 446 § 5. (See 1938, 446 § 14.)

SECT. 7 amended, 1938, 446 § 6. (See 1938, 446 § 14.)

SECT. 8A revised, 1937, 323; paragraph added at end, 1939, 308.

SECT. 9 amended, 1938, 446 § 7. (See 1938, 446 § 14.)

SECT. 11 amended, 1933, 102 § 2; 1941, 617 § 2. (See 1933, 102 § 4.)

SECT. 13 amended, 1938, 446 § 8. (See 1938, 446 § 14.)

SECT. 14 revised, 1943, 540.

SECT. 14A added, 1943, 540 (relative to federal funds for vocational education).

SECT. 19 revised, 1938, 446 § 9. (See 1938, 446 § 14.)

SECT. 21 amended, 1938, 446 § 10; 1946, 552 § 2. (See 1938, 446 § 14; 1946, 552 §§ 4, 5.)

SECT. 22 amended, 1938, 446 § 11. (See 1938, 446 § 14.)

SECT. 22A amended, 1938, 446 § 12. (See 1938, 446 § 14.)

SECT. 22C added, 1945, 561 (authorizing the division of the blind to use federal funds available in a program of rehabilitation of the blind).

SECT. 22D added, 1946, 552 § 3 (providing for co-operation by the commonwealth with the veterans' administration in the administration of federal laws and regulations relating to the rehabilitation of disabled veterans of World War II). (See 1946, 552 §§ 4, 5.)

SECT. 28 revised, 1939, 501 § 6; amended, 1945, 158 § 6.

SECT. 30 amended, 1937, 41.

SECT. 31A added, 1934, 65 (authorizing the trustees of the Essex county agricultural school to pay transportation costs of certain pupils attending said school); amended, 1943, 42.

SECT. 42, caption preceding section changed, 1946, 257 § 9; section revised, 1946, 257 § 1.

SECT. 43 amended, 1946, 257 § 2.

SECT. 44 amended, 1946, 257 § 3.

SECT. 45 amended, 1946, 257 § 4.

SECT. 46 amended, 1946, 257 § 5.

SECT. 46A amended, 1946, 257 § 6.

SECT. 47E, paragraph added at end, 1935, 22; section revised, 1946, 378.

SECT. 49, caption preceding section changed, 1942, 1 § 3; section amended, 1942, 1 § 5; revised, 1946, 340. (See 1942, 1 § 9.)

SECT. 49A added, 1946, 340 (authorizing the board of commissioners of the Massachusetts Maritime Academy to grant degrees).

SECT. 53 revised, 1942, 1 § 6. (See 1942, 1 § 9.)

Chapter 75. — Massachusetts State College.

SECT. 5 revised, 1935, 288.

SECT. 5A added, 1939, 329 (authorizing the trustees of Massachusetts State College to retain and manage in a revolving fund receipts from student activities).

SECT. 6 amended, 1935, 462 § 2. (See 1935, 462 § 1.)

SECT. 8 amended, 1945, 504.

SECT. 16A added, 1945, 586 (providing for the establishment at the Massachusetts Agricultural Experiment Station of a diagnostic laboratory dealing with the causes, etc., of diseases of domestic animals).

Chapter 76. — School Attendance.

SECT. 1 revised, 1939, 461 § 3; amended, 1941, 423.

SECTS. 7-10. See 1939, 454 § 21.

SECT. 15 revised, 1938, 265 § 5.

Chapter 77. — School Offenders and County Training Schools.

SECT. 1 revised, 1933, 295 § 1; amended, 1943, 82.

Chapter 78. — Libraries.

SECT. 4 revised, 1935, 202.

Chapter 79. — Eminent Domain.

SECT. 3; first paragraph amended, 1938, 172 § 6; two sentences added at end of first paragraph, 1943, 251 § 1. (See 1943, 251 § 4.)

SECT. 8 amended, 1936, 187 § 1; sentence inserted after second sentence, 1943, 251 § 2. (See 1943, 251 § 4.)

SECT. 9, last sentence amended, 1938, 172 § 7.

SECT. 15 repealed, 1936, 385 § 1. (See 1936, 385 § 2.)

SECT. 16 amended, 1936, 187 § 2; 1938, 185; revised, 1943, 95; paragraph added at end, 1943, 251 § 3. (See 1943, 251 § 4.)

SECT. 44A added, 1935, 189 (relative to certain tax liens upon real estate taken by right of eminent domain); amended, 1936, 137.

Chapter 80. — Betterments.

SECT. 1 amended, 1933, 254 § 62. (See 1933, 254 § 66.)

SECT. 4 revised, 1933, 63 § 1.

SECT. 5 amended, 1933, 157 § 2. (See 1933, 157 § 3.)

SECT. 10 revised, 1933, 147.

SECT. 10A added, 1933, 157 § 1 (providing that failure of a board of officers to take action upon a petition for abatement of a betterment assessment shall, for the purposes of appeal, be equivalent to refusal to abate the assessment). (See 1933, 157 § 3.)

SECT. 12 revised, 1943, 252 § 1, 478 § 4.

SECT. 13 amended, 1933, 63 § 2, 254 § 63; revised, 1934, 315 § 1; last sentence stricken out and new paragraph added, 1938, 489 § 1; first sentence of section amended, 1941, 595. (See 1933, 254 § 66; 1934, 315 § 3; 1941, 724.)

SECT. 13A added, 1943, 252 § 2 (relative to the time within which certain betterment and other assessments on unimproved land shall be paid.)

Chapter 81. — State Highways.

SECT. 5 revised, 1937, 218 § 1.

SECT. 7A added, 1937, 344 (granting certain powers to the department of public works with respect to certain ways connecting with state highways).

SECT. 7B added, 1941, 519 (giving the department of public works the power to take a slope easement, so called, in certain cases).

SECT. 7C added, 1943, 397 (relative to limited access ways).

SECT. 8 revised, 1936, 371; amended, 1937, 218 § 2.

SECT. 13A added, 1936, 342 (authorizing the department of public works to accept in behalf of the commonwealth gifts of certain easements for the purpose of landscaping along state highways, and to do such landscaping).

SECT. 19, last four sentences stricken out, 1933, 187 § 1. (See 1933, 187 § 2.)

SECT. 20A added, 1945, 539 (providing for the illumination of hazardous locations on state highways).

SECT. 26 amended, 1934, 366; paragraph added at end, 1946, 523.

SECT. 27 amended, 1939, 224.

SECT. 29A added, 1943, 416 (authorizing the department of public works to lay out and alter ways other than state highways and facilitating the securing of federal aid in connection therewith).

Chapter 82. — The Laying Out, Alteration, Relocation and Discontinuance of Public Ways, and Specific Repairs Thereon.

SECT. 7 amended, 1933, 283 § 2.

SECT. 32B added, 1933, 283 § 3 (authorizing the taking of easements of slope, so called, by county, city or town officers in connection with the laying out, widening, altering or relocating of public ways).

SECT. 34 amended, 1935, 309; 1941, 533.

Chapter 83. — Sewers, Drains and Sidewalks.

SECT. 19 revised, 1943, 252 § 4. (See 1943, 252 § 6.)

SECT. 27, last sentence revised, 1943, 252 § 5.

SECT. 29 added, 1943, 252 § 3 (relative to the continuance of liens

created under special acts in connection with certain betterment and other assessments).

Chapter 84. — Repair of Ways and Bridges.

SECT. 5A added, 1945, 319 (authorizing towns to enter into agreements for the removal of snow and ice from public ways in adjoining towns, etc.).

SECT. 18 revised, 1933, 114 § 1.

SECT. 19 amended, 1933, 114 § 2.

SECT. 20 revised, 1933, 114 § 3; amended, 1939, 147.

Chapter 85. — Regulations and By-Laws relative to Ways and Bridges.

SECT. 2A added, 1941, 346 § 2 (authorizing the department of public works to remove vehicles from state highways when said vehicles interfere with the removal of snow and ice).

SECT. 11A added, 1941, 710 § 1 (relative to the registration and operation of certain bicycles).

SECTS. 12-14 repealed, 1941, 710 § 2.

SECT. 14B added, 1938, 432 (requiring the use of certain signal lights at locations on unlighted ways where certain vehicles are disabled); first paragraph amended, 1946, 375.

SECT. 17B added, 1933, 43 (prohibiting riding upon the rear or on the side of street railway cars or motor buses without the consent of the persons in charge thereof); revised, 1943, 322 § 2.

SECT. 30 amended, 1935, 30; 1938, 171 § 1; first sentence amended, 1946, 397 § 2.

SECT. 31 revised, 1938, 171 § 2.

Chapter 87. — Shade Trees.

SECT. 5 amended, 1941, 490 § 18.

Chapter 88. — Ferries, Canals and Public Landings.

SECT. 19 revised, 1945, 442.

Chapter 89. — Law of the Road.

SECT. 2 revised, 1933, 301.

SECT. 5 amended, 1936, 49. (See 1938, 149.)

SECT. 7B added, 1934, 382 (relative to the application of traffic laws and regulations to fire apparatus and other emergency vehicles).

Chapter 90. — Motor Vehicles and Aircraft.

SECT. 1, paragraph (defining "heavy duty platform trailer") added, 1939, 354 § 1; same paragraph amended, 1941, 30; revised, 1945, 595 § 1; paragraph (defining "motor vehicles") amended, 1932, 182; 1938, 36; paragraph in lines 41-45 (defining "register number") revised, 1935, 43; two paragraphs (defining "semi-trailer" and "semi-trailer

unit") added, 1933, 332 § 1; paragraph (defining "school bus") added, 1932, 271 § 1; revised, 1946, 91; paragraph in lines 52-56 stricken out, and two paragraphs (defining "tractor" and "trailer") inserted, 1933, 332 § 2; paragraph (defining "trailer") amended, 1939, 354 § 2. (See 1932, 271 § 7; 1933, 332 § 5.)

SECT. 1A amended, 1933, 372 § 3; 1934, 264 § 2.

SECT. 2, fourth paragraph revised, 1932, 5; seventh paragraph revised, 1939, 436 § 1; last paragraph revised, 1933, 54.

SECT. 3, first sentence revised, 1933, 188; section revised, 1939, 325; paragraph added at end, 1941, 282.

SECT. 3C revised, 1937, 387.

SECT. 3G added, 1945, 590 § 1 (relative to recovery for damage caused by motor vehicles of non-residents). (See 1945, 590 § 2.)

SECT. 5A added, 1943, 409 § 2 (relative to the use of a general distinguishing mark or number on all motor vehicles under the control of the military forces).

SECT. 6, first sentence revised, 1939, 436 § 2.

SECT. 7 amended, 1932, 123 § 1; 1933, 51; second sentence amended, 1933, 109; sentence added after fourth sentence, 1939, 153; paragraph added at end of section, 1941, 443. (See 1932, 123 § 2.)

SECT. 7A revised, 1932, 41, 271 § 2. (See 1932, 271 § 7.)

SECT. 7B added, 1932, 271 § 3 (prerequisites to operation of school bus). (See 1932, 271 § 7.)

SECTS. 7A and 7B stricken out, and new sections 7A-7C inserted, 1945, 241 § 1. (See 1945, 241 § 3.)

SECT. 8 amended, 1934, 103; 1937, 284.

SECT. 9 amended, 1934, 361; 1941, 283.

SECT. 9A revised, 1932, 168 § 1; 1935, 393 § 1. (See 1932, 168 §§ 2, 3; 1935, 393 § 2.)

SECT. 10 amended, 1935, 219.

SECT. 14 amended, 1938, 166.

SECT. 15 amended, 1932, 271 § 5; 1933, 26 § 1. (See 1932, 271 § 7.)

SECT. 17, sentence added at end, 1932, 271 § 4. (See 1932, 271 § 7.)

SECT. 18 amended, 1945, 125.

SECT. 19, last sentence revised, 1933, 332 § 3; 1935, 223 § 1; section revised, 1935, 326 (but see 1935, 465); amended, 1936, 388 § 1; revised, 1941, 314; first sentence amended, 1946, 380; last two sentences amended, 1945, 595 § 4; same sentences stricken out and four sentences inserted, 1946, 341. (See 1933, 332 § 5; 1935, 223 § 2; 1936, 388 § 2.) Affected by 1941, 589.

SECT. 19A added, 1946, 397 § 1 (authorizing certain semi-trailer units and motor vehicles to travel upon public ways without certain permits).

SECT. 20A added, 1934, 368 § 1 (providing for the non-criminal disposition of charges for violation of motor vehicle parking rules, regulations, orders, ordinances and by-laws); revised, 1935, 176; first paragraph revised, 1938, 201. (See 1934, 368 § 2.)

SECT. 21 amended, 1936, 406.

SECT. 22, two paragraphs added at end, 1933, 191; first sentence (as appearing in 1933, 191) amended, 1941, 312.

SECT. 22A added, 1932, 304 § 1 (requiring the suspension of licenses to operate motor vehicles issued to persons who do not satisfy judgments in motor vehicle accident cases involving property damage). (See 1932, 304 § 2.)

SECT. 23, new paragraph added at end, 1933, 69.

SECT. 24 amended, 1932, 26 § 1; first sentence amended, 1936, 182 § 1; sentence contained in lines 65-97 amended, 1935, 360; paragraph added at end, 1936, 182 § 2; section revised, 1936, 434 § 1; paragraph (1) (a) amended, 1938, 145; paragraph (1) (c) revised, 1939, 82; paragraph (2) (a) amended, 1937, 230 § 1; paragraph (2) (c) amended, 1937, 117. (See 1937, 230 § 2.)

SECT. 29, last sentence amended, 1932, 26 § 2; section amended, 1935, 477 § 1; second sentence revised, 1936, 391; last two sentences revised, 1938, 146.

SECT. 32B repealed, 1934, 209 § 2. (See 1934, 209 § 3.)

SECTS. 32C-32F added, 1934, 209 § 1 (further regulating the business of leasing motor vehicles upon a mileage basis). (See 1934, 209 § 3.)

SECT. 33, first four paragraphs stricken out, and five new paragraphs inserted, 1932, 249 § 1; fourth paragraph (as appearing in 1932, 249 § 1) amended, 1933, 183 § 1; paragraph in lines 21-41 amended, 1932, 180 § 12; same paragraph stricken out, and two paragraphs inserted, 1933, 332 § 4; two paragraphs so inserted stricken out, and new paragraph inserted, 1935, 409 § 1; the paragraph so inserted amended, 1936, 380 § 1; subdivisions (2) and (3) of the paragraph so inserted revised, 1937, 377; subdivision (2) of said paragraph revised, 1945, 595 § 2; subdivision (3) of said paragraph amended, 1938, 430; subdivision (4) of said paragraph amended, 1939, 354 § 3; subdivision (6) of said paragraph amended, 1939, 354 § 4; revised, 1945, 595 § 3; last paragraph amended, 1936, 401. (See 1932, 249 § 2; 1933, 183 § 2, 332 § 5; 1935, 409 § 2; 1936, 380 § 2.)

SECT. 34, four words stricken out, 1933, 197 § 3; first paragraph amended, 1934, 364 § 1; section revised, 1943, 427 § 2. (See 1934, 364 § 3.)

SECT. 34A, paragraph defining "certificate" revised, 1945, 384 § 1. New paragraph (defining "guest occupant") added, 1935, 459 § 1; paragraphs defining "motor vehicle liability bond" and "motor vehicle liability policy" revised, 1935, 459 § 2. (See 1935, 459 § 5; 1945, 384 § 3.)

SECT. 34B, second paragraph revised, 1933, 83 § 1; 1935, 302; fourth paragraph revised, 1933, 83 § 2. (See 1933, 83 § 3.)

SECT. 34C amended, 1932, 180 § 13.

SECT. 34D revised, 1935, 459 § 3. (See 1935, 459 § 5.)

SECT. 34H, first paragraph amended, 1933, 119 § 4; new paragraph inserted, 1933, 119 § 5. (See 1933, 119 § 6.)

SECT. 53, last sentence amended, 1932, 180 § 14.

SECTS. 35-60 stricken out, and new sections 35-50 (uniform aeronautical code) inserted, 1935, 418 § 2. (See also below.)

SECT. 36 revised, 1938, 417 § 1.

SECT. 37 revised, 1938, 417 § 2.

SECT. 38 revised, 1938, 417 § 3.

SECT. 39 revised, 1938, 417 § 4.

SECT. 40 revised, 1938, 417 § 5.

SECT. 41 revised, 1938, 417 § 6.

SECT. 42 revised, 1938, 417 § 7.

SECT. 43 revised, 1938, 417 § 8.

SECT. 43A added, 1938, 417 § 9 (relative to the powers and duties of

police and certain other officers as to aircraft accidents and violations of the laws, rules and regulations relative to aircraft).

SECT. 44 revised, 1938, 417 § 10.

SECT. 45 revised, 1938, 417 § 11.

SECT. 46 revised, 1938, 417 § 12.

SECTS. 35-43 and 44-50, inc. (inserted by 1935, 418 § 2, as amended) and sect. 43A (inserted by 1938, 417 § 9) stricken out and new sections 35-52 inserted, 1939, 393 § 3 (further revising the laws relative to aviation). (See 1939, 393 §§ 4-6.)

SECT. 35, paragraph defining "Airport" amended, 1941, 537 § 1; paragraph inserted after said paragraph, 1941, 537 § 2; paragraph defining "Landing field" amended, 1941, 537 § 3; two paragraphs added at end, 1941, 537 § 4; section revised, 1946, 507.

SECTS. 36-38 repealed 1946, 583 § 2. (See G. L. 6 §§ 57-59. See also 1946, 583 §§ 1, 4.)

SECT. 39, first paragraph revised, 1941, 695 § 13; section revised, 1946, 583 § 3. (See 1946, 583 § 5.)

SECTS. 39A-39F added, 1946, 607 § 1 (relative to a state airport plan).

SECT. 40 revised, 1946, 582 § 1.

SECTS. 40A-40I inserted, 1941, 537 § 5 (relative to protecting the approaches to publicly owned airports).

SECT. 41 revised, 1946, 582 § 2.

SECT. 42 amended, 1941, 537 § 6.

SECT. 43 revised, 1946, 582 § 3.

SECT. 44 amended, 1941, 537 § 7.

SECT. 45 amended, 1941, 537 § 8.

SECT. 51 stricken out, 1946, 613 § 1.

SECTS. 51A-51B added, 1946, 582 § 4 (relative to the supervision of state airports by airport managers and to the leasing thereof).

SECTS. 51C-51L added, 1946, 613 § 1 (relating to the acquisition, establishment, maintenance, operation and regulation of airports by the commonwealth and the cities and towns thereof).

Chapter 91. — Waterways.

SECT. 9A added, 1938, 407 § 2 (providing a method for the development of waterfront terminal facilities).

SECT. 12A added, 1939, 513 § 6 (licensing and otherwise regulating structures, filling and excavations in certain rivers and streams).

SECT. 27, paragraph added at end, 1937, 372 § 2.

SECT. 46A added, 1935, 362 § 1 (penalizing the unlicensed breaking up or altering of vessels, scows, lighters or certain other structures).

SECT. 49 revised, 1935, 362 § 2.

Chapter 91A. — Port of Boston Authority.

New chapter inserted, 1945, 619 § 3. (See 1945, 619 §§ 4-11.)

Chapter 92. — Metropolitan Sewers, Water and Parks.

SECT. 1 amended, 1946, 367 § 1. (See 1946, 367 § 2.)

SECT. 8 amended, 1946, 432 § 5.

SECT. 10 revised, 1943, 543 § 1; 1945, 587 § 1; paragraph (2) amended, 1946, 549 § 1; paragraph (4) amended, 1946, 549 § 2; paragraph (5), sentence added at end, 1946, 549 § 3; paragraph (6) revised, 1946, 549 § 4; paragraph (10) amended, 1946, 243, 549 § 5. (See 1943, 543 §§ 1A, 3; 1945, 587 § 5.)

SECT. 17, paragraph added at end, 1945, 693 § 1.

SECT. 26, first paragraph revised, 1943, 543 § 2; first two paragraphs revised, 1945, 587 § 2; second paragraph amended, 1946, 432 § 6; first two paragraphs revised, 1946, 549 § 6. (See 1945, 587 §§ 4, 5.)

SECTS. 26A and 26B added, 1945, 587 § 3 (fixing the price for water furnished to municipalities by the metropolitan water district and providing for a state borrowing to ensure the maintenance of the price as fixed and providing for disposition of the excess in the metropolitan water works sinking fund).

SECT. 26A, first two sentences revised, 1946, 549 § 7.

SECT. 48 amended, 1934, 266 § 1. (See 1934, 266 § 4.)

SECT. 56 revised, 1933, 197 § 1; sentence added at end, 1939, 429 § 1. (See 1939, 429 §§ 2, 4.)

SECT. 57 amended, 1933, 197 § 2.

SECT. 58 amended, 1946, 432 § 7.

SECT. 59A added, 1945, 637 § 7 (relative to annual assessments upon municipalities of the metropolitan districts for maintenance); sentence added at end, 1946, 432 § 8. (See 1945, 279.)

SECT. 60 revised, 1939, 429 § 3; last sentence revised, 1946, 432 § 9. (See 1939, 429 § 4.)

SECT. 60A added, 1937, 352 § 1 (regulating the making and awarding of certain contracts by the metropolitan district commission and metropolitan district water supply commission); repealed, 1941, 547 § 2. (See 1937, 352 § 2; 1941, 547 § 1.)

SECT. 62 revised, 1938, 396; amended, 1941, 658 § 1. (See 1941, 658 § 2.)

SECT. 62A added, 1937, 416 § 1 (providing for a reserve police force for the metropolitan district commission); revised, 1939, 441 § 1. (See 1937, 416 § 5; 1939, 441 §§ 3, 5.)

SECT. 63 repealed, 1937, 416 § 2. (See 1937, 416 § 5; 1939, 441 § 3.)

SECT. 93 amended, 1934, 266 § 2. (See 1934, 266 § 4.)

SECT. 94 amended, 1934, 266 § 3. (See 1934, 266 § 4.)

SECT. 100 revised, 1939, 499 § 7; 1945, 292 § 9. (See 1945, 637 § 8.)

Chapter 93. — Regulation of Trade and Certain Enterprises.

SECT. 8, sentence added at end, 1938, 410 § 2.

SECTS. 14A-14D added, under heading "FAIR TRADE", 1937, 398 (protecting trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name).

SECT. 14A amended, 1939, 231.

SECT. 14B amended, 1939, 313.

SECT. 14C revised, 1943, 40.

SECTS. 14E-14K added, under heading "UNFAIR SALES", 1938, 410 § 1 (defining and prohibiting unfair sales practices, with a view to preventing the advertising or offering for sale, or the selling below cost,

of merchandise for the purpose of injuring competitors or destroying competition). (See 1941, 715.)

SECT. 14E, paragraphs (a) and (b) amended, 1939, 189 § 1; paragraph (h) added at end, 1939, 189 § 2.

SECT. 14F revised, 1941, 494.

Caption immediately preceding section 21 amended, 1939, 343 § 3.

SECT. 21 amended, 1939, 343 § 1; 1941, 583 § 1.

SECTS. 21A–21D added, 1941, 583 § 2 (defining and further regulating private trade schools).

SECT. 22 amended, 1939, 343 § 2; 1941, 583 § 3.

SECTS. 28A–28D added, under heading “REGULATING CLOSING OUT SALES, SO CALLED, AND SIMILAR TYPES OF SALES”, 1938, 165.

SECT. 28A revised, 1939, 207.

SECT. 29, heading and section amended, 1946, 612 § 3. (See 1946, 612 § 5, 6.)

SECT. 30 revised, 1945, 233.

SECT. 30A revised, 1946, 612 § 4.

SECT. 34. For temporary act to enable savings banks and certain other banking institutions to co-operate in the distribution of United States defense savings bonds and defense postal savings stamps, see 1941, 221, 575.

Chapter 94. — Inspection and Sale of Food, Drugs and Various Articles.

SECT. 1, paragraph in lines 128–132 (defining “pasteurized milk”) revised, 1932, 158; section amended in part, 1933, 67 §§ 1–5; paragraph (defining “milk plant” and “manufactory”) added, 1933, 338 § 1; paragraph in lines 30–36 (defining “butter” and “cheese”) stricken out and new paragraph defining “butter” inserted, 1937, 335 § 1; paragraph in line 40 reading, “cheese”, see “butter”, stricken out and four new paragraphs inserted, 1937, 335 § 2 (defining cheese and cream cheese); paragraph (defining “bakery”) amended, 1937, 362 § 1; paragraphs in lines 148–164 (defining “agricultural seeds” or “agricultural seed”, “noxious weed seeds” and “weed seeds”) revised and definition of “vegetable seeds” added, 1938, 363 § 1; last four definitions stricken out, 1946, 377 § 1; paragraph in lines 177–181 revised, 1939, 196 § 1. (See 1937, 362 § 7.)

SECT. 6 amended, 1937, 362 § 2. (See 1937, 362 § 7.)

SECT. 7 amended, 1941, 490 § 19.

SECT. 8 revised, 1937, 53.

SECT. 9 amended, 1939, 261 § 6.

SECTS. 9A–9M added, 1937, 362 § 3 (changing the position in the General Laws of certain provisions of law relative to bakeries). (For prior legislation, see G. L. chap. 111 §§ 34–43, 46–49, repealed by 1937, 362 § 6.) (See 1937, 362 §§ 6, 7.)

SECT. 10 amended, 1937, 362 § 4. (See 1937, 362 § 7.)

SECTS. 10A–10E stricken out, and new sections 10A–10G (regulating the manufacture, bottling and sale of certain non-alcoholic beverages) inserted, 1935, 441.

SECT. 10F amended, 1941, 119.

SECTS. 12–48A. For temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see note to G. L. chapter 94A, inserted by 1941, 691 § 2.

SECTS. 13, 14, 14A and 15 stricken out, and new sections 13-13E (relative to the grading of milk) inserted, 1933, 263 § 1. (See 1933, 263 § 3.)

SECT. 16 stricken out and sections 16-16I (regulating the production, sale and distribution of milk) inserted, 1932, 305 § 3. (See 1932, 305 §§ 5, 6.)

SECT. 16C amended, 1941, 374; revised, 1946, 467.

SECTS. 16J-16L added, 1946, 542 (relative to the regulation of transportation, handling and sale of milk).

SECT. 17A amended, 1933, 124.

SECT. 18 revised, 1933, 263 § 2. (See 1933, 263 § 3.)

SECT. 20 revised, 1939, 212.

SECT. 29A revised, 1933, 253; 1946, 447 § 1.

SECT. 30 revised, 1933, 253; 1946, 447 § 2.

SECT. 31 revised, 1933, 253; 1946, 447 § 3.

SECT. 40 amended, 1941, 298.

SECT. 42A stricken out, and new sections 42A-42K (requiring dealers in milk or cream to be licensed and bonded) inserted, 1933, 338 § 2; affected, 1939, 421.

SECT. 42A amended, 1935, 126.

SECT. 42F revised, 1934, 180 § 1.

SECT. 42H, paragraph 2 revised, 1934, 180 § 2.

SECT. 43 revised, 1932, 305 § 4; amended, 1935, 88; first paragraph amended, 1936, 210. (See 1932, 305 §§ 5, 6.)

SECT. 45 revised, 1935, 317.

SECT. 48B added, 1935, 259 (requiring institutions supported wholly or in part by funds of the commonwealth to use milk, other than cream and certified milk, produced within the commonwealth).

SECT. 48C added, 1939, 317 (regulating the manufacture, sale and delivery of certain milk beverages, so called).

SECT. 50 amended, 1937, 335 § 3.

SECT. 60 revised, 1934, 373 § 2.

SECT. 61A added, 1937, 335 § 4 (relative to the manufacture and sale of certain cheese).

SECTS. 64, 64A, 65, 65A, 65B, 65E and 65F, and the caption of said section 64, stricken out, and sections 65G-65S inserted, under caption "FROZEN DESSERTS AND ICE CREAM MIX", 1934, 373 § 1. (See 1934, 373 § 8.)

SECT. 65J, second paragraph revised, 1937, 341 § 1.

SECT. 65L, subdivision (c) amended, 1937, 341 § 2.

SECT. 65P, paragraph (f) added at end, 1937, 341 § 3.

SECT. 66A added, 1945, 109 (making certain laws relative to cold storage warehouses inapplicable to locker plants, so called).

SECT. 74 revised, 1933, 329 § 5; repealed, 1941, 598 § 2.

SECT. 74A added, 1933, 329 § 6 (definition of "fish"); repealed, 1941, 598 § 2.

SECTS. 75 and 76 repealed, 1933, 329 § 7.

SECT. 77, first sentence stricken out, 1933, 329 § 8; repealed, 1941, 598 § 2.

SECT. 77A added, 1934, 216 (regulating the importation of fresh swordfish).

SECT. 78 revised, 1933, 329 § 9; repealed, 1941, 598 § 2.

SECT. 78A added, 1933, 329 § 10 (prohibiting certain misrepresentations in the sale of lobsters); repealed, 1941, 598 § 2.

SECT. 79 repealed, 1933, 329 § 7.

SECT. 80 repealed, 1941, 598 § 2.

SECT. 81 revised, 1933, 329 § 11; 1939, 491 § 10; repealed, 1941, 598 § 2. (See 1939, 491 § 12.)

SECT. 82 repealed, 1941, 598 § 2.

SECT. 83 revised, 1933, 329 § 12; repealed, 1941, 598 § 2.

SECT. 85 amended, 1939, 261 § 7.

SECT. 88A revised, 1933, 329 § 13; repealed, 1941, 598 § 2.

SECT. 88B added, 1936, 176 (requiring that shucked scallops and quahaugs in the shell be sold only by weight).

SECT. 90A added, 1935, 369 (relative to the sale and distribution of eggs).

SECT. 90B added, 1938, 404 (establishing standard sizes in connection with the sale and distribution of eggs).

SECT. 92B added, under caption "MEATS AND POULTRY", 1935, 97 (requiring the retail sale of meats and poultry to be by weight).

SECT. 98 amended, 1939, 261 § 8.

SECT. 99A amended, 1939, 261 § 9.

SECT. 118 amended, 1943, 332 § 1.

SECT. 119 amended, 1943, 332 § 2.

SECT. 120 amended, 1943, 332 § 3.

SECT. 120A amended, 1943, 332 § 4.

SECT. 123 amended, 1932, 180 § 15; 1943, 332 § 5.

SECT. 124 revised, 1943, 508 § 1.

SECT. 126 amended, 1946, 213 § 1.

SECT. 128 amended, 1946, 213 § 2.

SECT. 129 revised, 1946, 213 § 3.

SECT. 130 amended, 1946, 213 § 4.

SECT. 131 revised, 1943, 332 § 6.

SECT. 133 amended, 1943, 332 § 7; 1946, 213 § 5.

SECT. 133A added, 1946, 213 § 6 (further regulating the slaughtering of certain animals).

SECT. 134 amended, 1946, 213 § 7.

SECT. 135 amended, 1943, 332 § 8.

SECT. 138 amended, 1943, 508 § 2.

SECT. 139 amended, 1946, 213 § 8.

SECT. 139A added, 1945, 679 (relative to the establishment and operation of poultry slaughtering houses).

SECT. 146, first paragraph amended, 1934, 340 § 6; 1943, 508 § 3. (See 1934, 340 § 18.)

SECT. 148, second paragraph amended, 1934, 340 § 6A. (See 1934, 340 § 18.)

SECT. 151 revised, 1943, 508 § 4.

SECTS. 152A-152C added, 1934, 296 (relative to the sale and transportation of poultry).

SECT. 152A amended, 1935, 157 § 1.

SECT. 152B revised, 1935, 157 § 2.

SECT. 153A added, 1933, 116 (relative to the sale of meat and meat products containing certain preservatives); revised, 1933, 311; 1945, 165.

SECT. 172 revised, 1939, 122.

SECT. 174A added, 1945, 92 § 1 (fixing standard weights of containers for certain flours, etc.); revised, 1946, 92.

SECT. 175 repealed, 1945, 92 § 2.

SECT. 177 revised, 1946, 176.

SECT. 181 amended, 1939, 261 § 10.

SECT. 182 amended, 1939, 261 § 11.

SECT. 184 amended, 1939, 261 § 12.

SECT. 185A repealed, 1937, 341 § 4.

SECT. 197, paragraph in lines 10-15 revised, 1935, 412 § 1; amended, 1943, 305 § 1; fourth paragraph revised, 1943, 305 § 2.

SECT. 198 amended, 1935, 412 § 2.

SECTS. 198A and 198B added, 1935, 412 § 3 (relative to the licensing of certain dealings in narcotic drugs).

SECT. 201 amended, 1935, 412 § 4.

SECT. 203 amended, 1935, 412 § 5.

SECT. 206 amended, 1935, 412 § 6.

SECT. 209 revised, 1945, 509.

SECT. 211 amended, 1935, 412 § 7; revised, 1938, 321 § 1.

SECT. 212 amended, 1938, 321 § 2.

SECT. 212A added, 1938, 321 § 3 (providing for the arrest without a warrant and punishment of a person present where a narcotic drug is unlawfully kept or deposited).

SECT. 214 amended, 1935, 412 § 8; 1943, 357.

SECT. 215 amended, 1935, 412 § 9.

SECT. 217 amended, 1935, 412 § 10.

SECT. 225, paragraph added at end, 1939, 69.

SECT. 239A amended, 1939, 261 § 13.

SECT. 244 amended, 1941, 155 § 1.

SECT. 245 revised, 1933, 94 § 2; amended, 1939, 261 § 13A; revised, 1941, 155 § 2.

SECT. 246 revised, 1941, 155 § 4.

SECT. 248 amended, 1934, 184; 1939, 261 § 14; revised, 1943, 241 § 1; amended, 1946, 222.

SECT. 249A amended, 1939, 261 § 15.

SECT. 249B amended, 1939, 261 § 16.

SECT. 249E revised, 1943, 241 § 2.

SECT. 249E½ added, 1943, 241 § 3 (relative to the allowable amount of non-combustible residue of coal and coke).

SECT. 249F amended, 1939, 261 § 17; 1943, 241 § 4.

SECT. 249G added, under caption "MATERIAL FOR ROAD CONSTRUCTION", 1933, 94 § 1 (authorizing certain officers to direct the weighing of material for road construction); amended, 1939, 261 § 17A; repealed, 1941, 155 § 3.

SECT. 250 revised, 1933, 67 § 6.

SECT. 252 amended, 1933, 67 § 7.

SECT. 254 amended, 1933, 67 § 8.

SECT. 255 amended, 1933, 67 § 9.

SECT. 256 revised, 1933, 67 § 10.

SECT. 257 revised, 1933, 67 § 11.

SECT. 258 revised, 1933, 67 § 12.

SECT. 261A amended, 1938, 363 § 2.

SECT. 261B amended, 1938, 363 § 3.

SECT. 261C revised, 1938, 363 § 4.

SECT. 261D revised, 1938, 363 § 5.

SECT. 261E, paragraph added at end, 1938, 363 § 6.

SECTS. 261H-261L stricken out, and new sections 261H-261L inserted, 1937, 288 § 1. (See 1937, 288 § 2.)

SECT. 261H, paragraph added at end, 1938, 363 § 7.

SECT. 261K amended, 1938, 363 § 8.

SECT. 261L revised, 1938, 363 § 9.

Sects. 261A-261L stricken out, and new sections 261A-261K inserted, 1946, 377 § 2.

SECT. 270, paragraph added at end, 1937, 176.

SECTS. 270A and 270B added, 1935, 439 (providing for the sterilization of feathers, down and second-hand material intended for use in the manufacture of any article of bedding or of upholstered furniture).

SECT. 270C added, 1939, 196 § 2 (relative to the marking of certain articles of bedding and upholstered furniture consisting in whole or in part of second-hand metal).

SECT. 270D added, 1939, 351 (further regulating the sale within the commonwealth of articles of bedding and upholstered furniture); repealed, 1941, 57.

SECT. 276 amended, 1939, 196 § 3.

SECT. 277A added, 1941, 422 (requiring the marking or labelling of furs, imitation furs and articles made therefrom, and prohibiting misrepresentation in such marks or labels).

SECT. 283 amended, 1939, 261 § 17B.

SECT. 295A added, under heading "PETROLEUM PRODUCTS", 1933, 228 (relative to prevention of fraud and misrepresentation in the sale of gasoline, lubricating oils and other motor fuels, and to prevention of the adulteration thereof).

SECTS. 295B and 295C added, 1938, 411 (prohibiting and penalizing the use of misleading signs relating to the price of gasoline and other motor fuel).

SECT. 295C revised, 1939, 218.

SECTS. 295A-295C stricken out, and new sections 295A-295O inserted, 1939, 459 § 1 (further regulating the advertising and sale of motor fuel at retail). (See 1939, 459 § 3.)

SECT. 295G revised, 1941, 311.

SECT. 298 amended, 1934, 109 § 1.

SECT. 299 amended, 1934, 109 § 2.

SECTS. 303A-303E added, under caption "METHYL OR WOOD ALCOHOL", 1934, 372 § 3 (relative to such alcohol and to certain preparations containing such alcohol).

SECT. 303A amended, 1935, 342; 1936, 53.

SECT. 303B amended, 1937, 177 § 1.

SECT. 303C revised, 1937, 177 § 2.

SECT. 303F added, under caption "FUEL OILS", 1935, 95 (regulating the sale of fuel oils).

SECT. 305A amended, 1937, 362 § 5. (See 1937, 362 § 7.)

Chapter 94A. — Milk Control.

New chapter inserted, 1941, 691 § 2. (See 1941, 691 §§ 3-6.)

(For prior temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see 1934, 376; term of office of said board extended, 1936, 300; 1938, 334; 1939, 413; 1941, 418 § 1; 631 § 1; legislation amended, 1937, 428; 1938, 279; 1939, 302.)

SECT. 12A added, 1943, 445 (defining the powers and duties of the milk control board in case of a failure to pay the official minimum price for the sale or delivery of milk).

SECT. 13, subsections (e) and (f) added at end, 1945, 134 (relative to the furnishing to the milk control board of certain information by licensed milk dealers); first paragraph of subsection (e) revised, 1946, 312. (See 1945, 409.)

SECT. 22 revised, 1943, 164.

SECT. 22A added, 1943, 147 (in aid of the construction and enforcement of the state milk control law, so called).

Chapter 95. — Measuring of Leather.

SECT. 1 amended, 1939, 261 § 18.

Chapter 96. — Measurement of Lumber.

SECT. 11A added, 1945, 145 (adopting the international log rule as standard for determining the board feet content of saw logs).

Chapter 97. — Surveying of Land.

SECTS. 8-13 added, 1941, 47 (defining and authorizing the use of a system of plane co-ordinates for designating and stating positions of points on the surface of the earth within the commonwealth).

Chapter 98. — Weights and Measures.

SECT. 1 amended, 1939, 261 § 19.

SECT. 14A amended, 1936, 73.

SECT. 20 amended, 1934, 373 § 3.

SECT. 21 amended, 1934, 373 § 4.

SECT. 22 amended, 1939, 261 § 19A; revised, 1941, 59.

SECT. 29, paragraph added at end, 1945, 273.

SECT. 30 repealed, 1935, 60 § 2.

SECT. 32 amended, 1935, 60 § 3.

SECT. 37 amended, 1936, 72.

SECT. 41 amended, 1941, 462.

SECT. 56, paragraph ($b\frac{1}{2}$) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph ($b\frac{1}{2}$) added, 1937, 305 § 1. (See 1937, 305 § 2.)

SECT. 56A added, 1941, 60 (relative to the location of scales and other weighing devices used in weighing food sold at retail by weight).

Chapter 99. — The Metric System of Weights and Measures.

SECT. 1 amended, 1939, 261 § 20.

SECT. 3 amended, 1939, 261 § 21.

SECT. 4 amended, 1939, 261 § 22.

Chapter 100. — Auctioneers.

- SECT. 1, paragraph added at end, 1936, 209 § 1.
SECT. 2 revised, 1941, 81.
SECT. 5 amended, 1932, 156 § 1.
SECT. 14 revised, 1932, 156 § 2.
SECT. 16 revised, 1932, 156 § 3.
SECTS. 18-21 added, 1936, 209 § 2 (relative to bankruptcy auctions and other auctions of similar type and relative to certain fraudulent practices at auctions).

Chapter 101. — Transient Vendors, Hawkers and Pedlers.

- SECT. 1, second paragraph revised, 1936, 218; section amended, 1941, 490 § 21.
SECT. 3 amended, 1939, 261 § 23; 1941, 490 § 22.
SECT. 5 amended, 1933, 254 § 64. (See 1933, 254 § 66.)
SECT. 6A added, 1938, 85 (providing that applications for transient vendors' licenses shall contain irrevocable power of attorney for service of process, and providing for service of process under authority thereof).
SECT. 15 amended, 1937, 214; revised, 1937, 333.
SECT. 16 revised, 1935, 42; amended, 1937, 130.
SECT. 19 amended, 1934, 114; 1937, 73.
SECT. 24 amended, 1936, 74; 1945, 493 § 1. (See 1945, 493 § 2.)
SECT. 27 amended, 1941, 490 § 23.
SECT. 30 amended, 1934, 77.
SECT. 32 amended, 1941, 490 § 24.
SECT. 33 amended, 1945, 160.

Chapter 102. — Shipping and Seamen, Harbors and Harbor Masters.

- SECT. 15 revised, 1932, 232 § 1.
SECT. 15A added, 1932, 232 § 2 (penalty for improper operation of motor and other boats).
SECT. 17 revised, 1932, 57.

Chapter 105. — Public Warehouses.

- SECT. 1 amended, 1935, 310 § 1.
SECTS. 2A and 2B added, 1935, 122 § 1 (relative to the termination of liability of sureties on bonds furnished by public warehousemen). (See 1935, 122 § 3.)
SECT. 6 revised, 1935, 122 § 2. (See 1935, 122 § 3.)
SECT. 9, clause (h) revised, 1935, 310 § 2.
SECT. 33, paragraph added at end, 1946, 172.

Chapter 107. — Money and Negotiable Instruments.

- SECT. 31 amended, 1941, 215.

Chapter 107A. — Assignments of Accounts Receivable.

- New chapter inserted, 1945, 141 § 1. (See 1945, 141, § 2.)

Chapter 108A. — Partnerships.

SECT. 34, first paragraph amended, 1932, 180 § 16.

Chapter 110. — Labels, Trade Marks, Names and Registration Thereof.

SECT. 4B added, 1946, 169 § 1 (penalizing the use for trade purposes of the words "Army", "Navy" and other words denoting branches of the United States Government). (See 1946, 169 § 3.)

SECT. 21 amended, 1934, 373 § 5.

SECT. 26 amended, 1946, 169 § 2.

Chapter 110A. — Promotion and Sale of Securities.

Chapter stricken out and new chapter inserted, 1932, 290 § 1. (See 1932, 290 §§ 3, 4.)

The following references are to the new chapter 110A:

SECT. 2, paragraph (a) revised, 1939, 442 § 4; paragraph (c) amended, 1936, 316; 1938, 445 § 2; paragraph (f) revised, 1938, 445 § 3.

SECT. 3, paragraph (*i*¹/₂) inserted, 1945, 288 § 1; last paragraph revised, 1945, 288 § 2.

SECT. 4, paragraph (g) revised, 1938, 445 § 4; paragraph (j) added, 1938, 445 § 5.

SECT. 5, paragraph inserted before the last paragraph, 1938, 445 § 6.

SECT. 9, last sentence stricken out, 1938, 445 § 7.

SECT. 10, fourth sentence stricken out and two new sentences inserted, 1938, 445 § 8.

SECT. 11A added, 1938, 445 § 9 (regulating the sale by a corporation of its securities to employees). [For prior legislation, see General Laws, chapter 155 § 23A, repealed by 1938, 445 § 13.]

SECT. 12 revised, 1938, 445 § 10; last paragraph amended, 1939, 442 § 5.

SECT. 12A added, 1938, 445 § 11 (relative to the modifying or annulling by the commission of orders or findings made by the director of the securities division and to review of such action); repealed, 1939, 442 § 6.

SECT. 13 amended, 1936, 68.

SECT. 18 revised, 1938, 445 § 12.

Chapter 111. — Public Health.

SECT. 1, paragraph added at end, 1938, 265 § 6.

SECT. 3 revised, 1946, 152.

SECT. 5, paragraph added at end, 1941, 388; same paragraph revised, 1945, 615.

SECT. 5A added, 1941, 612 (relative to the preparation and distribution by the department of public health of products applicable to the prevention or cure of diseases of man).

SECT. 6 revised, 1938, 265 § 7.

SECT. 11 revised, 1934, 328 § 1.

SECT. 12 revised, 1943, 331 § 1.

SECT. 13, last sentence revised, 1943, 331 § 2.

SECT. 15 amended, 1934, 340 § 7. (See 1934, 340 § 18.)

- SECT. 16 amended, 1934, 340 § 8. (See 1934, 340 § 18.)
- SECT. 17 amended, 1937, 340.
- SECT. 24 amended, 1937, 365; revised, 1939, 234; 1945, 292 § 10.
- SECT. 26 revised, 1946, 268 § 1.
- SECTS. 26A-26E added, 1946, 268 § 2 (relative to the replacement of a board of health of a city by a health department).
- SECT. 27A revised, 1932, 209.
- SECT. 31 amended, 1937, 285.
- SECT. 31A stricken out, and new sections 31A and 31B inserted, 1937, 282.
- SECT. 31A, paragraph added at end, 1945, 423.
- SECTS. 34-43 and 46-49, and the caption preceding section 34, repealed, 1937, 362 § 6. (See 1937, 362 §§ 1-5, 7.)
- SECT. 51 revised, 1943, 16 § 1.
- SECT. 53 amended, 1943, 16 § 2.
- SECT. 54 amended, 1943, 16 § 3.
- SECT. 57A added, 1943, 436 § 1 (permitting the department of public health to establish and maintain cancer clinics). (See 1943, 436 § 2.)
- SECT. 65A amended, 1936, 346 § 1; 1941, 506. (See 1936, 346 § 2.)
- SECT. 65B added, 1945, 453 (providing for the admission of children suffering from rheumatic heart disease to the North Reading state sanatorium).
- SECT. 66 amended, 1934, 219. (See 1936, 346 § 2.)
- SECT. 66A added, 1937, 392 (permitting the admission to state sanatoria and county tuberculosis hospitals, for purposes of diagnosis and observation, of certain patients with diseases of the lungs other than recognizable tuberculosis).
- SECTS. 67A-67D added, under caption "CARE OF CERTAIN INFANTS PREMATURELY BORN", 1937, 332.
- SECT. 67A revised, 1939, 246 § 1.
- SECT. 67C revised, 1939, 246 § 2; amended, 1945, 535.
- SECT. 69A amended, 1936, 337 § 1.
- SECT. 69C amended, 1936, 337 § 2.
- SECT. 70 amended, 1941, 194 § 5, 389 § 1; 1945, 291.
- SECTS. 71-73 stricken out and sections 71-72A and 73 inserted, 1941, 661 § 1. (See 1941, 661 § 2.)
- SECT. 71, sentence inserted after first sentence, 1945, 527; fifth sentence amended, 1945, 521.
- SECT. 74 amended, 1941, 72.
- SECTS. 78-90 affected (as to district of Chelsea, Revere and Winthrop), 1934, 78.
- SECT. 78 revised, 1946, 310 § 1. (See 1945, 505.)
- SECT. 79 revised, 1936, 343.
- SECT. 83A added, 1933, 318 § 6 (relative to the indemnification or protection of officers and employees of tuberculosis hospital districts in connection with actions for personal injuries arising out of the operation of vehicles owned by such districts); amended, 1934, 291 § 5. (See 1933, 318 § 9; 1934, 291 § 6.)
- SECT. 85, first sentence revised, 1943, 414 § 1; section revised, 1943, 500 § 1. (See 1943, 500 § 3.)
- SECT. 85A revised, 1932, 65.
- SECT. 87 amended, 1945, 398 § 1.
- SECT. 87A added, 1945, 398 § 2 (providing that trustees of Bristol

county tuberculosis hospital shall be appointed by the governor). (See 1945, 398 §§ 4, 5.)

SECT. 88 revised, 1943, 500 § 2; 1946, 310 § 2. (See 1943, 500 § 3.)

SECT. 88A added, 1943, 500 § 2 (relative to charges for the support of patients in county tuberculosis hospitals); revised, 1946, 310 § 3. (See 1943, 500 § 3.)

SECT. 96 revised, 1938, 265 § 8.

SECT. 96A added, 1938, 265 § 9 (regulating the transportation to another town of a person infected with a disease dangerous to public health).

SECT. 97 revised, 1938, 265 § 10.

SECT. 104 revised, 1938, 265 § 11.

SECT. 107 revised, 1938, 265 § 12.

SECT. 109 revised, 1938, 265 § 13.

SECT. 109A added, 1936, 115 (relative to the treatment of infants' eyes at time of birth); amended, 1943, 46.

SECT. 110, second sentence amended, 1932, 180 § 17.

SECT. 111 revised, 1938, 265 § 14.

SECT. 112 amended, 1938, 265 § 15.

SECT. 113 revised, 1938, 265 § 16.

SECT. 116, sentence in lines 24-32 amended, 1943, 275 § 1.

SECT. 116A added, under caption "CHRONIC RHEUMATISM", 1937, 393 (providing for the hospitalization of patients with chronic rheumatism).

SECT. 117 revised, 1935, 155; 1937, 391.

SECT. 118 amended, 1933, 44.

SECT. 121 revised, 1945, 555.

SECT. 121A added, 1939, 407 (requiring a serological test for syphilis of pregnant women).

SECT. 127 revised, 1937, 339.

SECT. 128, two paragraphs added at end, 1943, 468.

SECT. 141 revised, 1937, 278.

SECT. 143 revised, 1933, 269 § 2.

SECT. 151 amended, 1943, 332 § 9.

SECT. 154 amended, 1934, 340 § 9. (See 1934, 340 § 18.)

SECT. 173A added, 1938, 293 (extending the jurisdiction of certain police officers employed to protect public sources of water supply from pollution).

SECT. 173B added, 1943, 84 (authorizing water commissioners and others to enter premises within the watersheds of certain sources of supply).

SECT. 175 revised, 1941, 353.

SECTS. 176-180 repealed, 1938, 265 § 17.

SECT. 184A added, 1939, 344 (authorizing the state department of public health to issue certificates of approval relative to bacteriological laboratories); second paragraph amended, 1946, 155 § 1; paragraph added at end, 1946, 155 § 2.

SECT. 185A added, 1945, 543 § 2 (relative to the furnishing of certain material for use in determining and recording the physical condition of school children).

Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 2, second sentence revised, 1933, 171 § 1, 1936, 247 § 1; three

paragraphs added at end of section, 1936, 247 § 2; section amended, 1938, 210; paragraph added at end, 1939, 415 § 1; section revised, 1939, 451 § 37; amended, 1941, 722 § 9; second sentence stricken out and four sentences inserted, 1945, 396 § 1; third paragraph revised, 1945, 396 § 2; paragraph added at end, 1946, 365. Affected, 1938, 259. (See 1933, 171 § 2; 1936, 247 §§ 3-6; 1939, 415 §§ 3, 4.)

SECT. 2A amended, 1945, 396 § 3.

SECT. 5 revised, 1937, 425 § 12. (See 1937, 425 § 15.)

SECT. 9 revised, 1933, 152; 1945, 186.

SECT. 12A amended, 1943, 41.

SECT. 13 amended, 1937, 425 § 2. (See 1937, 425 § 15.)

SECT. 14 amended, 1937, 425 § 3. (See 1937, 425 § 15.)

SECT. 15 amended, 1937, 425 § 4. (See 1937, 425 § 15.)

SECT. 16 revised, 1937, 425 § 5. (See 1937, 425 § 15.)

SECT. 17 revised, 1937, 425 § 6. (See 1937, 425 § 15.)

SECT. 17A added, 1937, 425 § 7 [defining certain duties of the board of registration in chiropody (podiatry)]. (See 1937, 425 § 15.)

SECT. 18 amended, 1937, 425 § 8. (See 1937, 425 § 15.)

SECT. 19 amended, 1937, 425 § 9. (See 1937, 425 § 15.)

SECT. 20 amended, 1937, 425 § 10. (See 1937, 425 § 15.)

SECT. 21 amended, 1937, 425 § 11. (See 1937, 425 § 15.)

SECT. 23 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECT. 24 amended, 1932, 227; 1933, 126; 1937, 343 § 1; revised, 1941, 52 § 1; amended, 1945, 502 § 1. (See 1941, 52 § 2; 1943, 165; 1945, 502 §§ 2, 4.)

SECT. 24A added, 1945, 502 § 3 (relative to registrations and renewal of registrations as pharmacists and assistant pharmacists). (See 1945, 502 § 4.)

SECT. 24B added, 1946, 194 (relative to standards for schools and colleges of pharmacy).

SECT. 27 revised, 1934, 328 § 2; amended, 1937, 343 § 2.

SECT. 30 amended, 1937, 343 § 3.

SECT. 32 amended, 1934, 328 § 3.

SECT. 34 amended, 1934, 328 § 4.

SECT. 35 amended, 1934, 328 § 5; 1935, 306; 1937, 343 § 4.

SECT. 36 revised, 1934, 328 § 6.

SECT. 38 revised, 1934, 236.

SECT. 39 amended, 1939, 138.

SECT. 40 amended, 1934, 328 § 6A; 1937, 343 § 5.

SECT. 42A added, 1937, 343 § 6 (relative to the retail drug business and pharmacy).

SECT. 45, second sentence amended, 1932, 180 § 18; paragraph added at end, 1939, 415 § 2. (See 1939, 415 § 3.)

SECT. 46, clause Third amended, 1934, 108.

SECT. 50 amended, 1935, 344.

SECTS. 52A and 52B added, 1934, 281 (relative to methods and practices of dentists and dental hygienists).

SECT. 52A revised, 1937, 253.

SECT. 55 amended, 1937, 66; revised, 1939, 251 § 1; first paragraph amended, 1945, 724. (See 1939, 251 §§ 2, 3, 4; 1945, 711.)

SECTS. 60A-60J added under caption "REGISTRATION OF ARCHITECTS", 1941, 696 § 2. (See 1941, 696 §§ 3, 4.)

SECT. 60A, preliminary paragraph amended, 1945, 265 § 2.

SECT. 60C, clause (c) revised, 1943, 167.

SECTS. 60K-60M added, 1945, 265 § 1 (further regulating the practice of architecture).

SECTS. 66-73 stricken out, and new sections 66-73 inserted, 1934, 339 § 2.

SECT. 72 amended, 1938, 434 § 1. (See 1938, 434 § 4.)

SECT. 73 amended, 1938, 434 § 2. (See 1938, 434 § 4.)

SECT. 73A added, 1937, 287 § 1 (regulating advertising in connection with the sale of eyeglasses, lenses or eyeglass frames). (See 1937, 287 § 2.)

SECT. 73B added, 1938, 434 § 3 (further regulating optometrists with respect to premises where practice may be carried on and to the sharing of their fees). (See 1938, 434 § 4.)

SECTS. 74-81 stricken out, and new sections 74-81C added, 1941, 620 § 3. (See 1941, 620 §§ 1, 4-12.)

SECTS. 81A-81Q inserted under caption "REGISTRATION OF PROFESSIONAL ENGINEERS AND OF LAND SURVEYORS", 1941, 643 § 2. (See 1941, 643 §§ 3-5.)

SECT. 81A, as so inserted, amended and renumbered 81D, 1941, 722 § 9A.

SECT. 81L amended, 1941, 722 § 9B.

SECTS. 81B-81Q, inclusive, inserted by 1941, 643 § 2, renumbered 81E-81T, inclusive, 1941, 722 § 9C.

SECTS. 82-87, and caption before said section 82, stricken out, and new sections 82-87 inserted, under caption "REGISTRATION OF EMBALMERS AND FUNERAL DIRECTORS", 1936, 407 § 3. (See 1936, 407 §§ 5-8.)

SECT. 82, definition of "Apprentice" inserted, 1945, 596 § 1; definition of "Funeral directing", revised, 1939, 160 § 1.

SECT. 83, third paragraph amended, 1939, 160 § 4; section revised, 1945, 596 § 2.

SECT. 85 amended, 1941, 232.

SECT. 87 amended, 1937, 13; 1939, 160 § 2.

SECTS. 87F-87S. See 1937, 184.

SECT. 87F, paragraph contained in lines 4-9 revised, 1934, 260 § 1.

SECT. 87H, four sentences added at end, 1934, 260 § 2; section amended, 1936, 314 § 1; second paragraph amended, 1937, 94; same paragraph revised, 1941, 619 § 1. (See 1941, 619 § 2.)

SECT. 87I amended, 1936, 314 § 2.

SECT. 87K, paragraph added at end, 1936, 314 § 3.

SECT. 87M amended, 1936, 314 § 4.

SECT. 87O amended, 1933, 149 § 2. (See 1933, 149 § 3.)

SECT. 87P amended, 1934, 260 § 3.

SECT. 87R amended, 1936, 314 § 5.

SECTS. 87T-87JJ added, under caption "REGISTRATION OF HAIRDRESSERS", 1935, 428 § 2. (See 1935, 428 §§ 6, 7.)

SECT. 87T, definition of "Apprentice" stricken out and definition of "Instructor" added, 1941, 626 § 1; definition of "shop" revised, 1941, 626 § 2; section revised, 1943, 565 § 1.

SECT. 87U amended, 1937, 385 § 2; revised, 1941, 626 § 3.

SECT. 87V amended, 1937, 385 § 3; revised, 1941, 626 § 4; 1943, 565 § 2.

SECT. 87W amended, 1937, 385 § 4; revised, 1941, 626 § 5; 1943, 565 § 3; sentence added at end, 1946, 550 § 2.

SECT. 87X revised, 1941, 626 § 6; 1943, 565 § 4.

SECT. 87Z amended, 1937, 385 § 5; revised, 1943, 565 § 5.

SECT. 87AA revised, 1941, 626 § 7; 1943, 565 § 6.

SECT. 87BB amended, 1937, 385 § 6; revised, 1943, 565 § 7.

SECT. 87CC revised, 1941, 626 § 8; 1943, 565 § 8.

SECT. 87DD revised, 1943, 565 § 9.

SECT. 87EE revised, 1937, 385 § 7.

SECT. 87GG revised, 1941, 626 § 9; 1943, 565 § 10; sentence added at end, 1946, 550 § 3.

SECT. 87II amended, 1937, 385 § 8; revised, 1941, 626 § 10; 1943, 565 § 11.

SECT. 87JJ revised, 1941, 626 § 11; 1943, 565 § 12.

SECT. 88, clause (3) amended, 1941, 626 § 13.

Chapter 113. — Promotion of Anatomical Science.

SECT. 1 amended, 1941, 351 § 7.

Chapter 114. — Cemeteries and Burials.

SECT. 1 amended, 1936, 319 § 1. (See 1936, 319 § 7.)

SECT. 6 amended, 1936, 319 § 2. (See 1936, 319 § 7.)

SECT. 7 revised, 1936, 319 § 3. (See 1936, 319 § 7.)

SECT. 8 revised, 1936, 319 § 4. (See 1936, 319 § 7.)

SECT. 9 amended, 1936, 319 § 5. (See 1936, 319 § 7.)

SECT. 25 amended, 1934, 85 § 1. (See 1934, 85 § 2.)

SECTS. 43A-43N added, under caption "MISCELLANEOUS PROVISIONS", 1936, 319 § 6 (relative to the ownership, maintenance and operation of cemeteries and crematories and to the disposal of dead human bodies). (See 1936, 319 § 7.)

SECT. 49 revised, 1936, 407 § 4; last paragraph amended, 1939, 160 § 3. (See 1936, 407 §§ 5-8.)

Chapter 115. — Veterans' Benefits (former title, State and Military Aid Soldiers' Relief, etc.).

For legislation providing for payments for the benefit of soldiers and sailors serving in the present war, see 1942, 11; 1943, 211; 1945, 366; 1946, 584.

SECT. 1, paragraph in third line revised, 1943, 455 § 3; 1945, 393 § 7.

SECT. 2A added, 1932, 113 (requiring the furnishing of information to the commissioner of state aid and pensions by certain banks and other depositories relative to certain deposits therein); paragraph added at end, 1943, 455 § 4.

SECT. 6, first paragraph amended, 1945, 633 § 1; fourth paragraph amended, 1943, 455 § 5; sixth paragraph amended, 1943, 455 § 6; twelfth paragraph amended, 1945, 633 § 2; sixteenth paragraph amended, 1943, 455 § 7.

SECT. 7 amended, 1937, 273 § 1; revised, 1938, 316 § 1.

SECT. 9 amended, 1943, 455 § 8.

SECT. 10, second paragraph amended, 1943, 455 § 9; 1945, 633 § 3.

SECT. 12A added, 1933, 363 (making certain Massachusetts veterans

receiving hospital treatment outside the commonwealth eligible to receive military aid).

SECT. 15 amended, 1932, 106.

SECT. 17, first paragraph amended, 1936, 77; 1939, 295; paragraph added, 1932, 63; section revised, 1945, 633 § 4.

SECT. 18, sentence added at end of first paragraph, 1933, 323; paragraph added at end, 1932, 270.

SECT. 19 amended, 1932, 250; 1934, 336 § 1; 1937, 273 § 2; revised, 1938, 316 § 2; amended, 1943, 455 § 10.

SECT. 20 amended, 1932, 251; 1934, 336 § 2; revised, 1943, 455 § 11; amended, 1945, 633 § 5.

SECT. 21 amended, 1943, 455 § 12.

SECT. 24 revised, 1945, 374 § 1. (See 1945, 374 § 2.)

Chapter stricken out, and new chapter (with new title) inserted, 1946, 584 § 1. (See 1946, 584, §§ 2, 21, 22.) The following references are to chapter 115 as so inserted:

SECTS. 10-14 added, 1946, 599 § 1 (relative to local departments of veterans' services). (See 1946, 599 §§ 2, 3.)

Chapter 116. — Settlement.

SECT. 1, clause Fifth amended, 1943, 455 § 13.

SECT. 2 revised, 1933, 213; amended, 1943, 379; 1946, 584 § 4. (See 1946, 584 § 22.)

SECT. 4 revised, 1946, 584 § 5. (See 1946, 584 § 22.)

SECT. 5 amended, 1943, 455 § 14; revised, 1946, 584 § 6. (See 1946, 584 § 22.)

Chapter 117. — Support by Cities and Towns.

SECT. 1 amended, 1934, 124.

SECT. 2A added, 1933, 181 (authorizing local boards of public welfare to aid needy persons in the cultivation of vegetable gardens).

SECT. 3A added, 1937, 277 (protecting needy persons from the public view while applying for public relief and support).

SECT. 3B added, 1939, 127 (prohibiting local boards of public welfare from making the institution of ejectment proceedings a prerequisite to the payment by them of rent owed for dwellings by certain persons on welfare relief).

SECT. 5 amended, 1937, 125.

SECT. 6 revised, 1936, 108.

SECT. 6A added, 1938, 211 (preventing discrimination against certain persons with respect to the payment of welfare relief).

SECT. 13, new sentence added at end, 1941, 608.

SECT. 14 revised, 1937, 113; amended, 1938, 275; 1939, 39 § 1. (See 1939, 39 § 2.)

SECT. 16 repealed, 1936, 328.

SECT. 17 amended, 1939, 370; 1941, 351 § 8; last sentence revised, 1945, 668 § 2. (See 1939, 454 § 21.)

SECT. 18 amended, 1934, 45; 1938, 425; revised, 1941, 351 § 9. (See 1939, 454 § 21.)

SECT. 18A added, 1938, 465 (relative to the payment by cities and

towns of the expense of the funeral and burial of certain poor and indigent persons); paragraph added at end, 1945, 668 § 1.

SECT. 19, paragraph added at end, 1937, 86.

SECT. 21 amended, 1941, 196.

SECT. 24 revised, 1935, 164; sentence added at end, 1943, 481.

SECT. 35 amended, 1932, 180 § 19.

SECTS. 44-46 added, 1938, 476 (authorizing the establishment of public welfare districts in cities and towns).

Chapter 118. — Aid to Dependent Children (former title, Aid to Mothers with Dependent Children).

The following reference is to chapter 118, as appearing in the Tercentenary Edition:

SECT. 1 revised, 1935, 494 § 2. (See 1935, 494 § 1.)

Chapter stricken out and new chapter (with new title) inserted, 1936, 413 § 1. (See 1936, 413 § 2.)

The following references are to chapter 118, as inserted by 1936, 413 § 1:

SECT. 1 amended, 1939, 487.

SECT. 2 amended, 1941, 593 § 1; 1943, 97; 1945, 412; sentence inserted after fourth sentence, 1945, 532 § 1; section revised, 1946, 415.

SECT. 2A added, 1945, 567 (relative to certain persons in families receiving aid under the law providing aid to dependent children).

SECT. 4A added, 1943, 117 (permitting recipients of aid to dependent children, so-called, to leave the commonwealth without suspension of such aid); paragraph added at end, 1945, 458 § 1.

SECT. 5 revised, 1941, 593 § 2.

SECT. 6 revised, 1941, 405; two sentences added at end, 1943, 491. (See 1939, 454 § 21.)

SECT. 8 revised, 1939, 248.

SECT. 9 amended, 1946, 584 § 7. (See 1946, 584 § 22.)

Chapter 118A. — Adequate Assistance to Certain Aged Citizens.

The following references are to chapter 118A, as appearing in the Tercentenary Edition:

SECT. 1 amended, 1933, 219; revised, 1933, 328; amended, 1935, 494 § 3. (See 1934, 374 § 3 subsection 15; 1935, 494 § 1.)

SECT. 2A added, 1933, 285 (providing for appeals by persons aggrieved by failure of cities and towns to render old age assistance).

SECT. 3 revised, 1932, 259 § 3.

Chapter stricken out and new chapter 118A inserted, 1936, 436 § 1. (See 1936, 436 § 4.)

The following references are to chapter 118A, as inserted by 1936, 436 § 1:

SECT. 1 amended, 1937, 440 § 1; last sentence amended, 1938, 274; section revised, 1941, 729 § 1; 1943, 489 § 1; paragraph added at end, 1943, 506; same paragraph revised, 1945, 532 § 2; paragraph inserted before said paragraph, 1945, 441; last sentence of first paragraph amended, 1945, 683 § 1. (See 1941, 729 § 15; 1945, 683 § 4.)

SECT. 2 revised, 1937, 440 § 2; amended, 1941, 597 § 1; revised, 1941, 729 § 2; 1943, 489 § 2; 1945, 683 § 2. (See 1941, 729 § 15; 1945, 683 § 4.)

SECT. 2A added, 1941, 729 § 3 (relative to the liability of children to contribute to the support of aged parents); revised, 1943, 489 § 3; 1945, 683 § 3. (See 1941, 729 § 15; 1945, 683 § 4.)

SECT. 3 revised, 1937, 440 § 3; last sentence revised, 1938, 285; section revised, 1939, 481.

SECT. 4 amended, 1938, 467; amended, 1941, 729 § 4; revised, 1943, 512. (See 1941, 729 §§ 14, 15.)

SECT. 4A added, 1941, 729 § 5 (making a recipient of old age assistance liable to repay the same in certain cases). (See 1941, 729 § 15.)

SECT. 5 revised, 1938, 408; amended, 1941, 729 § 6; revised, 1946, 460. (See 1941, 729 § 15.)

SECT. 6A added, 1937, 165 (permitting recipients of old age assistance, so called, to leave the commonwealth without suspension of such assistance); amended, 1941, 729 § 7; revised, 1943, 470; paragraph added at end, 1945, 458 § 2. (See 1941, 729 § 15.)

SECT. 8 amended, 1941, 729 § 8; two sentences inserted after third sentence, 1943, 490. (See 1939, 454 § 21; 1941, 729 § 15.)

SECT. 9 revised, 1945, 541 § 3; amended, 1946, 584 § 8. (See 1946, 584 § 22.)

SECT. 10 revised, 1941, 597 § 2.

SECT. 11 added, 1941, 729 § 10 (establishing the old age assistance fund); amended, 1945, 684. (See 1941, 729 §§ 9, 9A, 15.)

Chapter 119. — Protection and Care of Children, and Proceedings against Them.

SECT. 1 revised, 1941, 629 § 1; 1946, 547 § 1.

SECT. 2 revised, 1941, 629 § 2; amended, 1946, 547 § 2.

SECT. 6 revised, 1941, 629 § 3; amended, 1946, 547 § 3.

SECT. 9 amended, 1941, 629 § 4.

SECT. 10 amended, 1941, 629 § 5.

SECT. 11 revised, 1946, 547 § 3A.

SECT. 12 revised, 1932, 180 § 20.

SECT. 13A added, 1945, 520 (relative to the responsibility of the board of public welfare in a town where an infant has seemingly been abandoned).

SECT. 14 revised, 1941, 629 § 6; amended, 1946, 547 § 4.

SECT. 22 amended, 1941, 351 § 10.

SECT. 28 amended, 1941, 629 § 7.

SECT. 29 amended, 1941, 629 § 8.

SECT. 47 amended, 1946, 448 § 1. (See 1946, 448 § 2.)

SECT. 47A added, 1943, 504 (relative to the payment of expenses for the support of certain neglected children).

SECT. 56 revised, 1943, 244 § 1.

SECT. 58, paragraph inserted after third paragraph, 1941, 264 § 1.

SECT. 58A amended, 1941, 194 § 6; revised, 1941, 327.

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted. 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 63 revised, 1932, 95 § 1.

SECT. 65 amended, 1932, 95 § 2.

SECT. 66 revised, 1941, 648 § 2; 1943, 244 § 2.

SECT. 67 amended, 1941, 648 § 3; revised, 1943, 244 § 2.

SECT. 68 revised, 1943, 244 § 2.

SECT. 69 revised, 1943, 244 § 2.

SECT. 73 revised, 1945, 202.

SECT. 74 amended, 1933, 196 § 1.

SECT. 75 amended, 1933, 196 § 2.

Chapter 120. — Massachusetts Training Schools.

SECT. 20, first sentence revised, 1945, 147.

SECT. 21, first sentence amended, 1932, 180 § 21.

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

SECT. 4A added, 1941, 630 § 3 (relative to information concerning recipients of old age assistance and aid to dependent children); revised, 1945, 240 § 2.

SECT. 6 amended, 1941, 351 § 11.

SECT. 7 amended, 1941, 351 § 12; revised, 1941, 404.

SECT. 8A added, 1935, 311 § 2 (relative to funds received by the director of the division of aid and relief for the benefit of persons under the care and supervision of the department); revised, 1941, 523.

SECT. 8B added, 1941, 618 (relative to the disposition of certain unclaimed moneys held by the division of child guardianship for the benefit of certain wards thereof).

SECT. 9 amended, 1941, 351 § 13.

SECT. 9A added, 1934, 167 (relative to the interstate transportation of poor and indigent persons); sentence added at end, 1945, 458 § 3.

SECT. 12 amended, 1941, 351 § 14.

SECT. 13 amended, 1941, 351 § 15.

SECT. 15 amended, 1941, 351 § 16.

SECT. 23 (and caption) amended, 1933, 364 § 2; section amended, 1935, 449 § 2; revised, 1935, 475 § 3. (See 1933, 364 § 8.)

SECT. 24 amended, 1933, 364 § 3. (See 1933, 364 § 8.)

SECT. 24A added, 1935, 449 § 2A (authorizing the acceptance and use by the state board of housing of grants of federal funds).

SECT. 24B added, 1935, 485 § 1 (authorizing the state board of housing to take land by eminent domain in order to aid or co-operate with the United States with respect to federal housing projects).

SECT. 25 revised, 1933, 364 § 4. (See 1933, 364 § 8.)

SECT. 26 amended, 1933, 364 § 5; revised, 1935, 475 § 4; amended, 1936, 211 § 6. (See 1933, 364 § 8; 1936, 211 § 7.)

SECTS. 26A-26H added, 1933, 364 § 6 (relative to the powers and duties of the state board of housing, and to limited dividend corporations under its control.) (See 1933, 364 § 8.)

SECT. 26H revised, 1935, 449 § 3.

SECTS. 26A-26H repealed, 1945, 654 § 2.

SECTS. 26I-26BB, under caption "HOUSING AUTHORITIES", added, 1935, 449 § 5 (relative to the establishment, powers and duties, and discontinuance, of local housing authorities).

SECT. 26Q, subsection (c) added, 1935, 485 § 2 (authorizing local housing authorities to take land by eminent domain in order to aid or co-operate with the United States with respect to federal housing projects).

SECTS. 26I-26BB stricken out and new sections 26I-26II inserted, 1938, 484 § 1 (to relate the Massachusetts Housing Authority Law to

the United States Housing Act of 1937). (See 1938, 484 § 2; 1941, 269 § 2; 1941, 317.)

SECT. 26W amended, 1943, 148.

SECT. 26AA, clause (d) stricken out and new clauses (d) and (e) inserted, 1941, 269 § 1.

SECT. 26BB, amended, 1941, 291.

SECT. 26DD revised, 1939, 26.

SECTS. 26I-26 II stricken out and new sections 26I-26NN inserted, 1946, 574 § 1. (See 1946, 574 § 2.)

SECT. 27 repealed, 1933, 364 § 7.

SECT. 39 amended, 1941, 351 § 17.

SECT. 40 amended, 1941, 656 § 13. (See 1941, 656 § 17.)

SECT. 42 amended, 1932, 180 § 22; 1941, 406.

Chapter 121A. — Urban Redevelopment Corporations.

New chapter inserted, 1945, 654 § 1.

SECT. 7A added, 1946, 574 § 3 (relative to acquisition from housing authorities of sites for urban redevelopment).

SECT. 18A added, 1946, 129 (authorizing savings banks to invest in urban redevelopment projects).

Chapter 122. — Tewksbury State Hospital and Infirmary (former title, State Infirmary).

SECT. 1 amended, 1941, 351 § 19; revised, 1941, 596 § 25.

SECT. 2 amended, 1941, 351 § 20.

SECT. 2A amended, 1941, 351 § 21.

SECTS. 2B-2E added, 1936, 295 (relative to Patients' Funds at the state infirmary and the disposition of unclaimed property and moneys represented by bank books belonging to former patients).

SECT. 2B amended, 1941, 351 § 22; revised, 1946, 331.

SECT. 2C amended, 1941, 351 § 23.

SECT. 2D revised, 1941, 351 § 24.

SECT. 2E revised, 1941, 351 § 25.

SECT. 3 amended, 1941, 351 § 26.

SECT. 4 amended, 1941, 351 § 27.

SECT. 5 amended, 1941, 351 § 28.

SECT. 6 amended, 1933, 345; 1941, 351 § 29.

SECT. 8 amended. 1941, 351 § 30.

SECT. 10 amended, 1941, 351 § 31.

SECT. 13 amended, 1941, 351 § 32.

SECT. 14 amended, 1941, 351 § 33.

SECT. 15 amended, 1936, 325; 1941, 351 § 34.

SECT. 16 amended, 1941, 351 § 35.

SECT. 17 amended, 1941, 351 § 36.

SECT. 18 amended, 1936, 378; 1941, 351 § 37; revised, 1941, 412; first sentence amended, 1943, 275 § 2; fourth sentence stricken out and two sentences inserted, 1943, 476; section revised, 1945, 583. (See 1939, 454 § 21.)

SECT. 20 amended, 1941, 351 § 38.

SECT. 20A added, 1941, 201 (penalizing the unlawful possession, handling or consumption of certain things by inmates of said hospital and infirmary).

SECT. 23 amended, 1941, 351 § 39.

SECT. 24 revised, 1941, 191.

Chapter 123. — Commitment and Care of the Insane and Other Mental Defectives.

For legislation relative to the establishment of the Norfolk state hospital for the care of the criminal insane, see 1935, 421; 1939, 485; 1941, 194 §§ 20, 21, 722 §§ 12, 13.

SECT. 1, definition of "commissioner" and "department" revised, 1938, 486 § 7.

SECT. 4 revised, 1938, 486 § 8.

SECT. 8A added, 1935, 301 (providing for co-operation between the departments of mental diseases and public works relative to roads at state hospitals).

SECT. 10 amended, 1941, 490 § 25.

SECT. 13 revised, 1936, 286.

SECT. 15 amended, 1941, 656 § 14. (See 1941, 656 § 17.)

SECT. 16 revised, 1938, 486 § 9; amended, 1939, 500 § 1.

SECT. 16A amended, 1938, 486 § 10.

SECT. 19 repealed, 1935, 163.

SECT. 20A added, 1945, 311 (relative to commitment to the Veterans Administration or other agencies of the United States of certain war veterans for care and treatment).

SECT. 22 revised, 1941, 351 § 40, 706.

SECT. 22A amended, 1941, 194 § 7.

SECT. 25 amended, 1935, 314 § 3, 421 § 4. (See 1935, 421 § 6.)

SECT. 26 repealed, 1938, 486 § 11.

SECT. 28 revised, 1938, 486 § 12; 1945, 638.

SECT. 29 revised, 1938, 486 § 13.

SECT. 30 revised, 1938, 486 § 14.

SECT. 31 revised, 1938, 486 § 15.

SECT. 32 revised, 1933, 115; 1938, 486 § 16.

SECT. 35 revised, 1946, 33 § 1.

SECT. 36 revised, 1939, 500 § 12.

SECT. 37 revised, 1946, 33 § 2.

SECT. 39, sentence added at end, 1936, 291 § 1.

SECT. 39A amended, 1936, 291 § 2.

SECT. 39B added, 1932, 204 (relative to the disposition of unclaimed belongings at certain state hospitals, known as "patients' valuables"); revised, 1936, 291 § 3.

SECT. 39C added, 1933, 256 (relative to the disposition of moneys represented by certain bank books belonging to former patients of certain state hospitals); revised, 1936, 291 § 4.

SECT. 40 amended, 1939, 500 § 13.

SECT. 43 repealed, 1939, 500 § 2.

SECT. 45 amended, 1938, 486 § 17. (See 1938, 486 §§ 21, 22.)

SECT. 46 amended, 1938, 486 § 18. (See 1938, 486 §§ 21, 22.)

SECT. 47 revised, 1938, 486 § 19; 1945, 467. (See 1938, 486 §§ 21, 22.)

SECT. 49 amended, 1945, 451.

SECT. 50 revised, 1935, 314 § 4.

SECT. 52 amended, 1932, 85.

SECT. 53 revised, 1941, 645 § 1.

- SECT. 56 repealed, 1939, 500 § 4.
SECT. 62 amended, 1941, 655 § 1.
SECT. 66 paragraph added at end, 1939, 500 § 6; first sentence amended, 1945, 24.
SECT. 66A amended, 1941, 194 § 8.
SECT. 69, sentence added at end, 1945, 227.
SECT. 77, first sentence amended, 1935, 314 § 5; section revised, 1939, 500 § 5.
SECT. 78, first sentence revised, 1935, 314 § 6.
SECT. 79, first sentence revised, 1935, 314 § 7; section revised, 1939, 500 § 7; amended, 1941, 216 § 1; revised, 1941, 645 § 2.
SECT. 80 amended, 1939, 500 § 8.
SECT. 82 amended, 1939, 500 § 9.
SECT. 84 revised, 1941, 481; amended, 1941, 490 § 26; revised, 1941, 722 § 10.
SECT. 86 amended, 1935, 314 § 8; revised, 1939, 500 § 10.
SECT. 87 amended, 1939, 500 § 11; revised, 1945, 454.
SECT. 88A revised, 1945, 25.
SECT. 89 revised, 1941, 216 § 3.
SECT. 89A amended, 1941, 194 § 9.
SECT. 89B amended, 1938, 254 § 1; 1941, 194 § 10.
SECT. 90, first sentence amended, 1932, 180 § 23.
SECT. 96 amended, 1941, 351 § 41; third paragraph revised, 1941, 398.
SECT. 100A amended, 1941, 194 § 11.
SECT. 102 revised, 1934, 15; paragraph added at end, 1938, 226; section amended, 1941, 344 § 3.
SECT. 105 revised, 1936, 130; first paragraph amended, 1945, 50; last paragraph amended, 1939, 54; 1941, 216 § 2.
SECT. 110 amended, 1937, 136.
SECT. 113 amended, 1941, 194 § 12; revised, 1943, 185 § 1.
SECT. 114 revised, 1943, 185 § 2.
SECT. 115 revised, 1943, 185 § 3; 1946, 557 § 1.
SECT. 116 revised, 1943, 185 § 4.
SECT. 117 amended, 1941, 655 § 2.
SECT. 117A added, 1936, 32 (providing in certain cases for the return to penal institutions of prisoners removed therefrom to departments for defective delinquents); revised, 1943, 185 § 5.
SECT. 118 revised, 1938, 254 § 2; 1943, 185 § 6; amended, 1945, 150; revised, 1946, 557 § 2.
SECT. 119 revised, 1938, 254 § 3.

Chapter 124. — Powers and Duties of the Department of Correction.

- SECT. 1 amended, 1939, 451 § 38; 1941, 344 § 4.
SECT. 5 amended, 1941, 344 § 5.
SECT. 6 amended, 1936, 23 § 2; 1939, 451 § 39.
SECT. 7 amended, 1939, 451 § 40.
SECT. 8 amended, 1935, 48 § 1. (See 1935, 48 § 2.)

Chapter 125. — Penal and Reformatory Institutions of the Commonwealth.

- SECT. 2 amended, 1941, 344 § 6.
SECT. 3 amended, 1941, 344 § 7.

SECT. 4 amended, 1932, 282 § 3; 1941, 344 § 8.

SECT. 4A added, 1939, 360 § 1 (changing the minimum age requirement for appointment of correction officers at certain state penal and reformatory institutions). (See 1939, 238 § 50.)

SECT. 6A added, 1945, 537 § 1 (establishing the office of treasurer at certain state penal and reformatory institutions). (See 1945, 537 § 5.)

SECT. 10 revised, 1937, 20 § 1. (See 1937, 20 § 2.)

SECT. 11 amended, 1935, 437 § 1. (See 1935, 437 § 8.)

SECT. 13 amended, 1936, 276; 1939, 360 § 2.

SECT. 14, third sentence stricken out, 1945, 537 § 2.

SECT. 22 revised, 1946, 591 § 44.

SECT. 26 amended, 1945, 537 § 3.

SECT. 29 revised, 1946, 591 § 45.

SECT. 30 amended, 1932, 180 § 24.

SECT. 34 revised, 1945, 537 § 4.

SECTS. 39-41 (and heading before said section 39) repealed, 1941, 344 § 9.

SECT. 46 repealed, 1941, 596 § 26.

SECT. 49 revised, 1936, 125.

Chapter 126. — Jails, Houses of Correction and Reformation, and County Industrial Farms.

SECT. 16 revised, 1937, 219 § 6.

SECT. 37 amended, 1936, 228.

Chapter 127. — Officers and Inmates of Penal and Reformatory Institutions, Paroles and Pardons.

SECT. 1 revised, 1941, 490 § 27.

SECT. 2 amended, 1941, 344 § 10.

SECT. 10 amended, 1936, 23 § 3; 1941, 656 § 15. (See 1941, 656 § 17.)

SECT. 11 revised, 1941, 344 § 11.

SECT. 12 amended, 1941, 344 § 12.

SECT. 14 amended, 1939, 200.

SECT. 16, last sentence stricken out, 1933, 77 § 1; section amended, 1941, 344 § 13.

SECT. 17 revised, 1933, 77 § 2.

SECT. 18 amended, 1933, 77 § 3.

SECT. 23 amended, 1941, 69.

SECT. 35 amended, 1941, 344 § 14.

SECT. 36 revised, 1941, 237 § 1.

SECT. 37 revised, 1941, 237 § 2.

SECT. 48A revised, 1946, 461 § 1.

SECT. 50 revised, 1941, 344 § 15.

SECT. 51 amended, 1941, 344 § 16.

SECT. 67A added, 1932, 252 § 1 (regulating the sale of prison made goods). (See 1932, 252 § 2.)

SECT. 71 revised, 1941, 344 § 17; 1946, 461 § 2.

SECT. 72 amended, 1941, 344 § 18; revised, 1941, 436 § 1. (See 1941, 436 § 2.)

SECT. 78 and sections 79-82 (and heading preceding said section 79) repealed, 1941, 344 § 19.

SECT. 84 amended, 1941, 490 § 28.

SECT. 87 amended, 1941, 344 § 20.

SECT. 90A revised, 1938, 65.

SECT. 96 amended, 1941, 351 § 42.

SECTS. 96A and 96B added, 1936, 383 (providing for the disposition of unclaimed money and property of former prisoners).

SECT. 96A amended, 1945, 290.

SECT. 97 revised, 1943, 113.

SECT. 109 repealed, 1941, 344 § 21.

SECT. 109B added, 1935, 113 § 1 (relative to the transfer of certain prisoners from the Massachusetts Reformatory to the State Prison). (See 1935, 113 § 2.)

SECT. 111A added, 1933, 169 (relative to transfers of defective delinquents and drug addicts from one institution to another under the department of correction).

SECT. 117 revised, 1941, 510 § 1; 1943, 120.

SECT. 118 revised, 1938, 456; amended, 1941, 351 § 43; revised, 1941, 510 § 2.

SECT. 123 amended, 1941, 510 § 3.

SECT. 125 amended, 1946, 148.

SECT. 127 amended, 1938, 71; 1941, 70; 1941, 690 § 5A; sentence added at end, 1945, 449 § 2. (See 1941, 690 §§ 8-10.)

SECT. 128 amended, 1939, 451 § 41; revised, 1941, 690 § 1. (See 1941, 690 §§ 8-10.)

SECT. 129 revised, 1937, 399 § 2. (See 1937, 399 §§ 3-6.)

SECT. 130 revised, 1938, 264 § 1; amended, 1941, 277. (See 1938, 264 § 2.)

SECT. 131 amended, 1939, 451 § 42.

SECT. 132 amended, 1939, 451 § 43.

SECT. 133 revised, 1933, 134 § 1; amended, 1939, 451 § 44. (See 1933, 134 § 2.)

SECT. 135 amended, 1939, 451 § 45.

SECT. 136 amended, 1939, 451 § 46.

SECT. 137 amended, 1939, 451 § 47; repealed, 1941, 344 § 22.

SECT. 137A amended, 1939, 451 § 48.

SECT. 138 amended, 1939, 451 § 49.

SECT. 139 amended, 1939, 451 § 50; revised, 1941, 344 § 23.

SECTS. 129-139 stricken out and new sections 129-136 and 136A inserted, 1941, 690 § 2. (See 1941, 690 §§ 8-10.)

The following references are to sections 129-136 inserted by 1941, 690 § 2.

SECT. 129, third sentence amended 1945, 49 § 1; section revised, 1946, 543 § 1. (See 1945, 49 § 2; 1946, 543 § 6.)

SECT. 130 revised, 1946, 543 § 2. (See 1946, 543 § 6.)

SECT. 132 revised, 1946, 543 § 3. (See 1946, 543 § 6.)

SECT. 133 amended, 1946, 254.

SECT. 134 revised, 1946, 543 § 4. (See 1946, 543 § 6.)

SECT. 136 revised, 1946, 543 § 5. (See 1946, 543 § 6.)

SECT. 141 amended, 1941, 174 § 1.

SECT. 146 revised, 1932, 221 § 1.

SECT. 149 amended, 1939, 451 § 51; revised, 1941, 174 § 2; amended,

1941, 690 § 3; revised, 1946, 424 § 1. (See 1941, 690 §§ 8-10; 1946, 424 § 2.)

SECT. 151, last sentence amended, 1932, 180 § 25.

SECTS. 151A-151G added, under the heading "INTERSTATE SUPERVISION OF PROBATIONERS AND PAROLEES", 1937, 307 § 1 (providing for the entry of this commonwealth into compacts with any of the United States for mutual helpfulness in relation to persons convicted of crimes or offences who are on probation or parole). (See 1937, 307 § 2.)

SECT. 152 revised, 1939, 479; sentence added at end of fourth paragraph, 1941, 297; same sentence stricken out, 1945, 38 § 8. See 1945, 180.

SECT. 153, see 1945, 180.

SECT. 154 amended, 1939, 451 § 52; revised, 1941, 690 § 4. (See 1941, 690 §§ 8-10.)

SECT. 154, see 1945, 180.

SECT. 154A added, 1935, 225 (requiring consideration by the advisory board of pardons of the cases of certain life prisoners on the question of extending clemency); amended, 1939, 451 § 53.

SECT. 158 revised, 1941, 344 § 24.

SECT. 160 revised, 1941, 344 § 25; 1943, 433; last sentence stricken out, 1945, 512.

SECTS. 166-169 added. 1939, 484 (regulating the payment or receipt of money or other rewards or gratuities for the purpose of obtaining the granting of any pardon, parole, or commutation of or respite from sentence).

SECTS. 166 and 167 revised, 1941, 690 § 5. (See 1941, 690 §§ 8-10.)

Chapter 128. — Agriculture.

SECT. 1 amended, 1941, 490 § 29.

SECT. 2, paragraph (a) revised, 1941, 490 § 30; paragraph (f) amended, 1937, 415 § 1; 1938, 230; paragraph (g) added, 1933, 291 § 1; same paragraph repealed, 1941, 598 § 3.

SECT. 6 amended, 1933, 291 § 2; 1941, 598 § 4.

SECT. 8A added, 1943, 495 (relative to the control or destruction of certain rodents by the commissioner of agriculture); amended, 1946, 366.

SECT. 10 amended, 1934, 340 § 10. (See 1934, 340 § 18.)

SECT. 13 amended, 1934, 340 § 11. (See 1934, 340 § 18.)

SECTS. 16-31A affected, 1939, 405.

SECT. 16 amended, 1941, 490 § 32.

SECT. 22 amended, 1941, 490 § 33.

SECT. 23 amended, 1941, 490 § 34.

SECT. 24A added, 1939, 136 (providing for the control of the Dutch elm disease).

SECT. 27 revised, 1938, 309.

SECT. 31A revised, 1943, 144.

SECT. 39 repealed, 1933, 74 § 2.

SECT. 42 revised, 1932, 166.

Chapter 128A. — Horse and Dog Racing Meetings.

New chapter inserted, 1934, 374 § 3.

SECT. 2, subsection (5) amended, 1946, 575 § 1.

SECT. 3, first paragraph revised, 1935, 454 § 2; 1943, 269; clause (b) revised, 1946, 575 § 2; clause (c) amended, 1941, 382; clause (d) revised, 1946, 575 § 3; clause (e) revised, 1939, 505 § 1; clause (f) amended, 1935, 454 § 3; clause (h) amended, 1935, 454 § 4; clause (i) revised, 1939, 505 § 2; clause (j) revised, 1946, 575 § 4; clause (n) added, 1935, 239 (forbidding the licensed racing of horses and dogs under the pari-mutuel system of betting, on publicly owned premises); clause (n) added, 1935, 471 § 1 (forbidding the licensed racing of dogs under such system, in certain residential neighborhoods); designation of the clause added by 1935, 471 § 1 changed from (n) to (o), 1936, 405 § 3. (See 1935, 471 § 2; 1939, 505 § 3.)

SECT. 4, last paragraph revised, 1939, 356.

SECT. 5, first paragraph revised, 1935, 454 § 1; paragraph inserted after first paragraph, 1946, 252; second paragraph, as appearing in 1934, 374 § 3, revised, 1936, 351; 1946, 575 § 5; third paragraph, as so appearing, revised, 1936, 351; 1939, 473; first sentence of same paragraph revised, 1946, 381 § 1; 575 § 7; second sentence of same paragraph revised, 1946, 381 § 2; last paragraph amended, 1939, 497; paragraph added at end, 1946, 575 § 6.

SECT. 5A added, 1946, 445 § 1 (relative to the disposition of money held for payment of unclaimed winnings upon wagers made at horse and dog racing meetings). (See 1946, 445 § 2.)

SECT. 9, last paragraph revised, 1935, 454 § 5.

SECT. 9A added, 1935, 454 § 6 (relative to rules, regulations and conditions to be prescribed by the state racing commission).

SECT. 10 revised, 1936, 268.

SECT. 13 amended, 1935, 454 § 7.

SECT. 13A added, 1935, 454 § 8 (relative to the application of certain laws as to betting and certain local requirements as to race tracks and public amusements, in the case of racing meetings under this chapter); revised, 1939, 159; amended, 1941, 295. (See 1935, 471 § 2.)

SECT. 13B added, 1937, 322 (prohibiting and penalizing the use of drugs for the purpose of affecting the speed of horses at horse racing meetings).

SECT. 14 revised, 1935, 279 § 2; 1936, 253 § 2; amended, 1938, 282. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 14A added, 1935, 279 § 1 (providing for the resubmission to the voters of the several counties of the question of licensing dog races at which the pari-mutuel system of betting shall be permitted); repealed, 1936, 253 § 1. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 15 revised, 1936, 436 § 2; 1941, 729 § 12. (See 1936, 436 § 4; 1941, 729 § 15.)

Chapter 128B. — Conservation of Soil and Soil Resources and Prevention and Control of Erosion.

New chapter inserted, 1945, 531.

Chapter 129. — Livestock Disease Control (former title, Animal Industry).

SECT. 1 revised, 1934, 340 § 12; paragraph (defining "Domestic animals") added, 1935, 70. (See 1934, 340 § 18.)

SECT. 8A added, 1941, 375 (establishing a scale of fees for the inoculation of swine against hog cholera).

SECT. 9 amended, 1943, 332 § 10.

SECT. 10 amended, 1934, 340 § 13. (See 1934, 340 § 18.)

SECT. 15 revised, 1941, 162.

SECT. 26A revised, 1938, 168; amended, 1941, 173.

SECT. 29 amended, 1938, 308.

SECT. 32 amended, 1939, 451 § 54.

SECT. 33 amended, 1934, 272; 1946, 417.

SECT. 33B revised, 1934, 96.

SECT. 36A added, 1935, 426 (providing for the licensing of certain dealers in bovine animals); repealed, 1941, 607 § 2.

SECT. 36B added, 1938, 314 (providing for the vaccination of certain cattle to curtail the spread of Bang's disease, so called); revised, 1943, 56.

SECT. 36C added, 1938, 386 (regulating the transportation of neat cattle); repealed, 1941, 607 § 2.

SECT. 38 revised, 1934, 340 § 14. (See 1934, 340 § 18.)

SECTS. 39-43 added, 1941, 607 § 1 (to further regulate the dealing in and transportation of bovine animals and to prevent the spread of disease among such animals).

SECT. 40 revised, 1946, 416 § 1.

SECT. 43 revised, 1946, 416 § 2.

Chapter 129A. — Marine Fish and Fisheries, Inland Fish and Fisheries, Birds and Mammals, General Provisions.

New chapter inserted, 1933, 329 § 1.

SECT. 1, definition of "Warden" revised, 1937, 413 § 2; definitions of "Coastal Warden", "Deputy Coastal Warden" and "Supervisor", revised, 1939, 491 § 11. (See 1937, 413 §§ 3, 4; 1939, 491 § 12.)

SECT. 10, sentence added at end, 1941, 171.

Chapter 129A repealed in part, 1941, 598 § 7; entirely repealed, 1941, 599 § 1. (See 1941, 598 § 9, 599 § 7.)

Chapter 130. — Marine Fish and Fisheries (former title, Marine Fish and Fisheries, including Crustacea and Shellfish).

The following reference is to chapter 130, as appearing in the Tercenary Edition:

SECT. 48A added, 1933, 118 (prohibiting the taking of certain herring or alewives from the waters of Plymouth harbor, Kingston bay, Duxbury bay and certain waters of Plymouth bay).

Chapter stricken out, and new chapter 130 (with new title) inserted, 1933, 329 § 2.

The following references are to chapter 130 as so inserted:

SECT. 3A added, 1935, 324 (providing for state aid to coastal cities and towns in conserving and increasing the supply of shellfish and in exterminating the enemies thereof).

SECT. 6B added, 1934, 115 § 1 (providing for the filing with the supervisor of marine fisheries of copies of rules and regulations made by cities and towns under the marine fisheries laws, and for notifying him of permits and licenses issued under said laws). (See 1934, 115 § 2.)

SECT. 11A added, 1941, 172 (penalizing the taking of certain herring or alewives from the waters of Plymouth Harbor, Kingston Bay, Duxbury Bay and certain waters of Plymouth Bay).

SECT. 23 amended, 1937, 168.

SECTS. 27A and 27B added, 1939, 385 § 1 (relative to the establishment and maintenance of a plant for the propagation of lobsters). (See 1939, 385 § 2.)

SECT. 41A added, 1937, 121 (prohibiting, during certain months of the year, the taking of edible crabs from the waters of the commonwealth).

SECT. 48, first paragraph amended, 1935, 110.

SECT. 73 amended, 1935, 117.

SECTS. 77, 78, 79 revised, 1937, 246.

SECT. 84A added, 1934, 129 (regulating the disposition of starfish caught in or taken from the coastal waters of the commonwealth).

Chapter stricken out, and new chapter 130 (with new title) inserted, 1941, 598 § 1. (See 1941, 598 § 9.)

The following references are to chapter 130 as so inserted:

SECT. 1, definition of "Fish" amended, 1945, 98 § 1; last paragraph revised, 1945, 98 § 2.

SECT. 2, last paragraph revised, 1945, 98 § 3.

SECT. 15A added, 1945, 281 (providing for reciprocal enforcement of laws relating to marine fisheries).

SECT. 31 amended, 1945, 98 § 4.

SECT. 33 amended, 1945, 98 § 5.

SECT. 37, paragraph contained in lines 10 and 11 amended, 1943, 149; same paragraph revised, 1943, 533 § 1. (See 1943, 533 § 2.)

SECT. 42, last sentence amended, 1945, 242 § 15.

SECT. 43, last sentence amended, 1945, 242 § 16.

SECT. 69 amended, 1945, 98 § 6.

SECT. 74, sentence added at end, 1945, 99 § 1.

SECT. 80, third paragraph amended, 1945, 98 § 7.

SECT. 81, sentence added at end, 1945, 99 § 2.

SECT. 82, sentence added at end, 1945, 99 § 3.

SECT. 100 amended, 1945, 264 § 1.

SECTS. 100A and 100B added, 1945, 264 § 2 (making permanent the law protecting striped bass). For prior temporary legislation see 1941, 421.

Chapter 131. — Powers and Duties of the Division of Fisheries and Game (former title, Game and Inland Fisheries).

The following references are to chapter 131, as appearing in the Tercenary Edition:

Title amended, 1933, 329 § 14.

SECTS. 1-4 repealed, 1933, 329 § 20.

SECT. 5 amended, 1932, 272 § 1; 1933, 214 § 1; 1937, 191 § 1.

SECT. 6 revised, 1932, 272 § 2.

SECT. 7 revised, 1932, 272 § 3.

SECT. 8 revised, 1932, 272 § 4; new paragraph added (summer three-day fishing license), 1934, 156; same paragraph revised, 1938, 121 § 1. (See 1938, 121 § 2.)

SECT. 8A added, 1933, 214 § 2 (establishing special fox hunting licenses for non-resident members and guests of clubs or associations conducting fox hunts).

SECT. 8B added, 1937, 191 § 2 (authorizing the issuance to certain officials of certain other states of complimentary certificates entitling them to hunt and fish in this commonwealth).

SECTS. 9-11 repealed, 1933, 329 § 20.

SECT. 12 amended, 1932, 272 § 5; revised, 1933, 214 § 3.

SECT. 13 revised, 1933, 329 § 15.

SECT. 13A added, 1941, 159 § 1 (imposing a penalty for carrying firearms, while intoxicated, in places where hunting is permitted). (See 1941, 159 § 2.)

SECTS. 14-24 repealed, 1933, 329 § 20.

SECT. 24A added, 1932, 78 (relative to the establishment in certain brooks and streams of breeding areas for fish).

SECT. 25, paragraph added at end, 1934, 33.

SECTS. 27-34 repealed, 1933, 329 § 20.

SECT. 42 repealed, 1933, 329 § 20.

SECT. 43A added, 1936, 294 (relative to fishing in ponds situated partly in the commonwealth and partly in another state).

SECT. 44 revised, 1933, 329 § 16.

SECT. 45, sentence added at end, 1932, 77.

SECT. 48 revised, 1936, 69.

SECT. 49 amended, 1933, 329 § 17.

SECT. 49A added, 1937, 123 (establishing a close season for fish with respect to which no close season is otherwise established by law).

SECTS. 52-55 repealed, 1933, 329 § 20.

SECT. 56 amended, 1934, 51.

SECT. 57 amended, 1934, 149; 1936, 425 § 1; 1937, 116.

SECT. 59 revised, 1936, 425 § 2; 1937, 269.

SECT. 61A added, 1933, 329 § 18 (regulating the taking of smelt in great ponds).

SECT. 66 amended, 1934, 40.

SECT. 68 revised, 1935, 120.

SECT. 73A added, 1935, 98 (authorizing the use of certain traps for the purpose of catching fish bait in the inland waters of the commonwealth).

SECT. 74 revised, 1932, 272 § 6.

SECT. 77 revised, 1933, 154.

SECT. 83 revised, 1935, 107.

SECT. 85 amended, 1932, 28; 1935, 13; 1937, 167.

SECT. 86A added, 1932, 60 (authorizing the director of fisheries and game to suspend or modify the open season or bag limit as to ruffed grouse and quail).

SECT. 87A added, 1933, 122 (relative to the taking or killing of waterfowl and other migratory birds in certain cases).

SECT. 92 amended, 1932, 52.

SECT. 94 amended, 1934, 183; 1937, 172; revised, 1937, 316.

SECT. 97 revised, 1934, 70; amended, 1936, 13.

SECT. 99 amended, 1932, 180 § 26.

SECT. 100A added, 1932, 82 (prohibiting the hunting of beavers).

SECT. 103 revised, 1938, 301.

SECT. 104 revised, 1933, 192 § 1; 1937, 324; amended, 1941, 175.

SECT. 104A added, 1939, 462 (restricting the carrying of certain firearms in motor vehicles in areas used for hunting).

SECT. 105A revised, 1933, 203; repealed, 1934, 275 § 2.

SECTS. 105B and 105C added, 1934, 275 § 1 (regulating the use of traps and other devices for the capture of fur-bearing animals and providing for local option thereon). (See 1934, 275 § 4.)

SECT. 109 revised, 1932, 264; 1933, 192 § 2; amended, 1935, 5 § 1; 1936, 21 § 1, 138 § 1; 1937, 89 § 1, 243 § 1.

SECT. 112 revised, 1933, 192 § 3; amended, 1935, 5 § 2; 1936, 21 § 2, 138 § 2; 1937, 243 § 2.

SECT. 114 revised, 1937, 89 § 2; last paragraph amended, 1937, 372 § 1.

SECT. 114A added, 1934, 275 § 3 (authorizing the commissioner of conservation to temporarily suspend, within certain specified territory, the provisions of section 105B).

SECT. 124 amended, 1937, 229.

SECT. 135 revised, 1932, 81, 272 § 7.

SECT. 137 added, 1933, 329 § 19 (relative to the protection of salmon fry in the Merrimack river).

Chapter stricken out, and new chapter 131 (with new title) inserted, 1941, 599 § 2. (See 1941, 599 §§ 5-7.)

The following references are to chapter 131 as so inserted:

SECT. 1, definition of "Birds" revised, 1941, 663 § 1; definition of "Loaded shotgun or rifle" inserted, 1945, 83; definition of "Mammals" revised, 1941, 663 § 2. (See 1941, 663 § 3.)

SECT. 3A added, 1945, 548 § 1 (establishing the inland fisheries and game fund). (See 1945, 548 § 3.)

SECT. 8, last paragraph of clause (1) revised, 1943, 265.

SECT. 14, paragraph contained in lines 65-73 amended, 1943, 216 § 1; paragraph contained in lines 74-86 amended, 1943, 216 § 2.

SECT. 34 revised, 1945, 693 § 2.

SECT. 40A added, 1946, 79 (penalizing the use of artificial bait in ice fishing elsewhere than in the Connecticut river).

SECT. 61A added, 1945, 232 (protecting the wood duck).

SECT. 68 amended, 1943, 90.

SECT. 97 repealed, 1945, 12.

SECT. 97A added, 1943, 463 (relative to the disposition by counties of revenue received from the federal government by reason of federal wild-life refuges situated therein); repealed, 1945, 12.

SECT. 101 revised, 1943, 100.

SECT. 101A added, 1946, 334 (penalizing the use of certain firearms for hunting purposes).

SECT. 103, paragraph (2) amended, 1946, 333.

SECT. 111, paragraph added at end, 1946, 412.

Chapter 132. — Forestry.

SECT. 1 amended, 1937, 415 § 2; 1941, 490 § 36.

SECT. 5 repealed, 1932, 180 § 27.

SECT. 6 revised, 1941, 455.

SECT. 11 revised, 1937, 415 § 3.

SECT. 12 amended, 1937, 415 § 4.

SECT. 12A added, 1945, 401 (relative to suppression of gypsy moths etc., on land of the commonwealth).

SECT. 13 revised, 1935, 87; amended, 1937, 415 § 5.

SECT. 14 revised, 1937, 415 § 6.

SECT. 17 amended, 1937, 415 § 6A; last sentence revised, 1946, 432 § 10.

SECT. 18 amended, 1937, 415 § 6B.

SECT. 22 amended, 1937, 415 § 7.

SECT. 25 revised, 1937, 415 § 8.

SECT. 26 amended, 1937, 415 § 9.

SECT. 27 amended, 1937, 415 § 10.

SECT. 28 amended, 1937, 415 § 11.

SECT. 30, last sentence revised, 1945, 514.

SECT. 33 amended, 1935, 373; 1936, 415 § 1. (See 1936, 415 § 3.)

SECT. 34, new paragraph added at end, 1935, 233.

SECT. 36 revised, 1936, 415 § 2. (See 1936, 415 § 3.)

SECT. 36A added, 1945, 27 (relative to the acquisition by prescription or adverse possession of title to lands of the commonwealth under control of the department of conservation).

SECTS. 40-45 added, under caption "Forest Cutting Practices", 1943, 539.

Chapter 132A. — State Parks and Reservations Outside of the Metropolitan Parks District.

SECT. 2 amended, 1941, 490 § 37.

SECT. 5 amended, 1946, 432 § 11.

SECT. 7 revised, 1941, 722 § 11.

SECT. 9 amended, 1933, 75 § 4.

Chapter 135. — Unclaimed and Abandoned Property.

SECT. 8 amended, 1938, 98 § 1.

SECT. 9 amended, 1938, 98 § 3.

SECT. 11 amended, 1938, 98 § 2.

Chapter 136. — Observance of the Lord's Day.

SECT. 2 amended, 1933, 150 § 1; 1934, 63; 1935, 78; 1946, 207 § 1.

SECT. 4 amended, 1945, 575.

SECT. 4A added, 1933, 150 § 2 (relative to the licensing of certain enterprises to be held on the Lord's day at amusement parks and beach resorts); revised, 1933, 309 § 1; sentence added at end, 1946, 207, § 2. (See 1933, 309 § 2.)

SECT. 4B added, 1946, 207 § 3 (relative to the licensed operation on the Lord's Day of bowling alleys).

SECT. 6, second and third paragraphs amended, 1934, 328 § 7; fourth paragraph amended, 1932, 96; 1934, 354; paragraph added at end, 1933, 150 § 3; section revised, 1934, 373 § 6; third paragraph amended, 1936, 129; 1937, 286; fourth paragraph amended, 1938, 143; same paragraph revised, 1943, 473; last paragraph revised, 1946, 207 § 4.

SECT. 7 amended, 1934, 328 § 8; revised, 1934, 373 § 7.

SECT. 8 amended, 1937, 124.

SECT. 13 amended, 1932, 105.

SECT. 17, sentence added at end, 1933, 150 § 4; section amended, 1934, 55; revised, 1938, 60.

SECT. 21 revised, 1935, 104, 169; 1946, 318 § 1. (See 1946, 318 § 2.)

SECT. 22. See 1933, 136; 1935, 49.

Chapter 138. — Alcoholic Liquors (Old Title, Intoxicating Liquors and Certain Non-Intoxicating Beverages).

The following references are to chapter 138, as appearing in the Tercenary Edition:

SECT. 1, paragraph in lines 4-7 amended, 1933, 97 § 1. (See 1933, 97 § 3, 346 § 9.)

SECT. 2 affected, 1933, 120 § 53.

SECT. 3 amended, 1933, 97 § 2. (See 1933, 97 § 3, 346 § 9.)

Chapter stricken out, and new chapter 138 inserted, 1933, 376 § 2.

The following references are to the new chapter 138:

SECT. 1, new paragraph (definition of "Alcohol") added, 1935, 440 § 1; definition of "Restaurant" amended, 1936, 368 § 1; eighth paragraph (definition of "Club"), revised, 1934, 385 § 1; definition of "Tavern" amended, 1934, 121 § 1; 1935, 253 § 1; definition of "Wines" revised, 1941, 637 § 1. (See 1941, 637 § 3.)

SECT. 2 revised, 1934, 305, 372 § 4; 1935, 440 § 2; first sentence revised, 1939, 470 § 1; 1943, 542 § 1.

SECT. 3 amended, 1935, 440 § 3.

SECT. 4 amended, 1934, 385 § 2.

SECT. 7 amended, 1935, 440 § 4.

SECT. 10 amended, 1935, 440 § 5.

SECT. 10A revised, 1943, 542 § 2.

SECT. 10B added, 1934, 370 § 11 (authorizing the alcoholic beverages control commission to remove a member of a local licensing board under certain conditions).

SECT. 11 revised, 1936, 207 § 1. (See 1935, 281.)

SECT. 11A, first paragraph amended, 1934, 142 § 1; paragraph inserted, 1934, 142 § 2; paragraph added at end, 1934, 142 § 3; section revised, 1934, 211 § 1; last paragraph stricken out, 1935, 440 § 6. (See 1934, 142 § 4, 211 § 2.)

SECT. 12, first paragraph amended, 1934, 121 § 2; last sentence of first paragraph revised, 1934, 370 § 1; second paragraph amended, 1934, 121 § 2; sentence contained in lines 42-53 revised, 1934, 370 § 2; section revised, 1934, 385 § 3; first paragraph amended, 1935, 253 § 2; revised, 1935, 440 § 7; new paragraph inserted after first paragraph, 1935, 253 § 3; proviso contained in lines 46-48 stricken out, 1935, 253 § 4; third paragraph revised, 1935, 440 § 8; next to last paragraph stricken out, 1935, 440 § 9; section revised, 1935, 468 § 1; first paragraph amended, 1936, 207 § 2; last sentence of first paragraph revised, 1937, 331; 1943, 542 § 3; second paragraph revised, 1936, 368 § 2; amended, 1943, 542 § 4; paragraph added at end, 1937, 264. (See 1943, 542 § 20.)

SECT. 13, last two sentences stricken out, 1934, 385 § 4; section revised, 1935, 440 § 10.

SECT. 14 amended, 1934, 370 § 3; paragraph added at end, 1935, 440 § 11.

SECT. 15, first paragraph amended, 1934, 385 § 5; revised, 1935, 440 § 12; last paragraph revised, 1934, 370 § 4; last sentence revised, 1936, 225 § 1; second paragraph revised, 1938, 353.

SECT. 15A added, 1934, 370 § 5 (relative to the publication of applications for original licenses); revised, 1935, 440 § 13; 1939, 414; amended, 1943, 542 § 5.

SECT. 16 revised, 1936, 368 § 3.

SECT. 16A revised, 1934, 385 § 6; 1937, 424 § 1.

SECT. 16B revised, 1935, 440 § 14; paragraph added at end, 1937, 291; section revised, 1937, 424 § 2; second paragraph revised, 1939, 92; section amended, 1943, 542 § 6.

SECT. 17, second proviso of first paragraph amended, 1934, 385 § 7; first paragraph amended, 1935, 81; last paragraph revised, 1934, 83; section revised, 1935, 440 § 15; first paragraph amended, 1936, 136, 245; 1937, 14 § 1; second paragraph revised, 1936, 199; paragraph added after the second paragraph, 1936, 368 § 4; section revised, 1937, 424 § 3; paragraph in lines 77-105 amended, 1946, 305; paragraph in lines 106-118 revised, 1939, 263; paragraph in lines 119-122 revised, 1941, 522; same paragraph amended, 1945, 666. (See 1937, 14 § 2.)

SECT. 18, first paragraph revised, 1935, 440 § 16; first sentence revised, 1943, 542 § 7; two paragraphs added, 1934, 385 § 8; paragraph added at end, 1943, 542 § 8.

SECT. 18A added, under caption "SELLING AGENTS OF FOREIGN IMPORTERS AND MANUFACTURERS", 1934, 312; first paragraph revised, 1935, 440 § 17.

SECT. 18B added, 1943, 542 § 9 (relative to the issuance of certificates of compliance to persons licensed outside the commonwealth to export and sell alcoholic beverages to licensees under this chapter).

SECT. 19, first paragraph revised, 1935, 440 § 18; second paragraph amended, 1934, 385 § 9; last paragraph amended, 1934, 385 § 10; 1935, 440 § 19; paragraph added at end, 1936, 368 § 5.

SECT. 19A added, 1934, 385 § 11 (relative to the licensing of salesmen for manufacturers and for wholesalers and importers); revised, 1935, 440 § 20.

SECT. 20 revised, 1934, 385 § 12; first paragraph amended, 1936, 368 § 6; paragraph inserted, 1936, 368 § 7; section revised, 1943, 542 § 10.

SECT. 20A added, 1937, 424 § 4 (relative to granting permits to public warehousemen to store and warehouse alcoholic beverages).

SECT. 21 revised, 1934, 385 § 13; first paragraph amended, 1935, 440 § 21; first six paragraphs revised, 1936, 411 § 1; 1939, 367 § 1; first paragraph (as appearing in 1939, 367 § 1) amended, 1943, 542 § 11; third paragraph (as so appearing) stricken out and two new paragraphs inserted, 1941, 637 § 2; sixth paragraph (as so appearing) revised, 1943, 36; next to the last paragraph (as appearing in 1934, 385 § 13) amended, 1936, 368 § 8; last paragraph (as so appearing) revised, 1939, 451 § 55; paragraph added at end, 1939, 394. [Temporary additional excise, 1939, 434; 1941, 339; 1943, 423; 1945, 546.] (See 1936, 411 § 2; 1939, 367 § 2; 1941, 637 § 3.)

SECT. 22 revised, 1934, 385 § 14; 1935, 440 § 22; fourth and fifth paragraphs stricken out and new paragraph inserted, 1937, 418.

SECT. 22A added, 1934, 385 § 15 (providing for the granting by the alcoholic beverages control commission in certain cases of permits to sell alcoholic beverages).

SECT. 23, sentence added at end of fourth paragraph, 1934, 370 § 6; last paragraph amended, 1934, 245; section revised, 1934, 385 § 16; fifth paragraph amended, 1935, 253 § 5; last four paragraphs stricken out, and five new paragraphs inserted, 1935, 440 § 23; second of the paragraphs so inserted revised, 1941, 578; fourth paragraph revised, 1938, 238; sentence added at end of next to last paragraph, 1939, 470 § 2; section revised, 1943, 542 § 12.

SECT. 23A added, 1945, 215 (authorizing the Alcoholic Beverages Control Commission to take action to eliminate unfair competition and other trade abuses in the sale of alcoholic beverages).

SECT. 24, first sentence amended, 1934, 232; section revised, 1943, 542 § 13.

SECTS. 25A, 25B added, 1946, 304 (prohibiting discrimination between licensees authorized to sell alcoholic beverages by eliminating the practice of granting special inducements to favored licensees).

SECT. 26, first paragraph amended, 1935, 440 § 24.

SECT. 27 revised, 1934, 301 § 1; amended, 1934, 385 § 23; revised, 1935, 442; amended, 1936, 436 § 3; revised, 1936, 438; 1941, 729 § 13. (See 1936, 436 § 4; 1941, 729 § 15.)

SECT. 28 amended, 1934, 112.

SECT. 29 revised, 1935, 440 § 25.

SECT. 30 amended, 1935, 83 § 1; 1943, 542 § 14. (See 1935, 83 § 2.)

SECT. 30A revised, 1934, 370 § 7; 1935, 440 § 26.

SECT. 30B amended, 1935, 440 § 27; paragraph added at end, 1936, 368 § 9.

SECT. 30D amended, 1935, 440 § 28.

SECT. 30E, first paragraph amended, 1935, 440 § 29.

SECT. 30F revised, 1935, 440 § 30.

SECT. 30G amended, 1935, 440 § 31.

SECT. 30H added, 1935, 440 § 32 (possession or transportation of alcoholic beverages or alcohol under certain circumstances deemed prima facie evidence of violation of law).

SECT. 31 amended, 1935, 440 § 33; revised, 1936, 368 § 10.

SECT. 32 amended, 1934, 370 § 8.

SECT. 33 revised, 1934, 370 § 9; amended, 1935, 468 § 2; last sentence revised, 1936, 225 § 2; section amended, 1937, 268; 1941, 356.

SECT. 34 amended, 1935, 440 § 34; revised, 1936, 171; 1937, 424 § 5; amended, 1943, 542 § 15.

SECT. 34A added, 1935, 146 (relative to procuring by false representation sales or delivery of alcoholic beverages to minors); revised, 1935, 440 § 35.

SECT. 36 amended, 1934, 385 § 17.

SECT. 37 revised, 1934, 385 § 18.

SECT. 38 amended, 1941, 199.

SECTS. 42-55 affected, 1935, 440 § 36.

SECT. 42, paragraph added at end, 1935, 440 § 36.

SECT. 46 amended, 1934, 370 § 10; 1935, 440 § 37.

SECT. 56 revised, 1935, 440 § 38; 1936, 368 § 11.

SECT. 57 revised, 1936, 368 § 12.

SECT. 62 amended, 1935, 440 § 39.

SECT. 63, first sentence revised, 1934, 385 § 19; section revised, 1935, 440 § 40; 1936, 368 § 13.

SECT. 63A revised, 1935, 440 § 41; 1943, 542 § 16.

SECT. 64 revised, 1934, 385 § 20.

SECT. 65 revised, 1943, 542 § 17.

SECT. 67 amended, 1934, 385 § 21; revised, 1935, 440 § 42; amended, 1938, 400; first paragraph amended, 1943, 542 § 18.

SECT. 70 revised, 1934, 301 § 2; 1945, 598.

SECTS. 72-75 repealed, 1934, 372 § 1.

SECT. 76 revised, 1934, 372 § 2; next to last sentence revised, 1934, 385 § 22; section revised, 1935, 440 § 43.

SECT. 77 revised, 1943, 542 § 19.

Chapter 139. — Common Nuisances.

SECT. 2, sentence added at end, 1945, 697 § 5.

SECT. 14, caption amended, 1934, 328 § 9; section amended, 1934, 328 § 10.

SECT. 16 amended, 1934, 328 § 11.

SECT. 16A amended, 1934, 328 § 12.

SECT. 17 repealed, 1934, 328 § 13.

SECT. 19 amended, 1934, 328 § 14.

SECT. 20 amended, 1934, 328 § 15.

Chapter 140. — Licenses.

SECT. 4 amended, 1934, 171 § 1.

SECT. 6 amended, 1937, 424 § 6; revised, 1941, 439 § 1.

SECT. 6A added, 1937, 424 § 7 (providing for the granting of common victuallers' licenses and licenses to sell alcoholic beverages upon condition that licensed premises are equipped and furnished according to plans and estimates approved in advance); repealed, 1941, 439 § 2.

SECT. 8 amended, 1936, 368 § 14; revised, 1943, 328.

SECT. 9A added, 1939, 431 (relative to the keeping of the premises of common victuallers open for business).

SECT. 10 amended, 1935, 167.

SECT. 12 revised, 1932, 86; 1933, 92; 1943, 31.

SECTS. 21E and 21F added, under caption "ORGANIZATIONS DISPENSING FOOD OR BEVERAGES TO MEMBERS AND GUESTS", 1933, 284 (providing for the regulation of such organizations).

SECT. 21E, last sentence revised, 1934, 328 § 16; affected, 1934, 328 § 17.

SECTS. 32A-32E added, 1939, 416 (requiring the licensing of recreational camps, overnight camps or cabins and trailer camps).

SECT. 32B amended, 1941, 396; revised, 1945, 153.

SECT. 48 repealed, 1937, 342 § 2.

SECT. 51 amended, 1932, 275; 1935, 428 § 3; 1936, 55 § 1; revised, 1941, 626 § 12. (See 1935, 428 §§ 6, 7; 1936, 55 § 2.)

SECT. 52 amended, 1935, 428 § 4. (See 1935, 428 § 7.)

SECT. 55 amended, 1938, 59.

SECT. 59 amended, 1934, 254 § 1; 1938, 96. (See 1934, 254 § 2.)

SECT. 71 revised, 1943, 154.

SECT. 90, three sentences added at end, 1934, 179 § 1; section revised, 1946, 223 § 1. (See 1946, 223 § 2.)

SECT. 96, sentence added at end, 1934, 179 § 2; section amended, 1941, 158 § 1. (See 1941, 158 §§ 2, 3.)

SECT. 100 amended, 1946, 119; revised, 1946, 174 § 1. (See 1946, 174 § 2.)

SECT. 121 amended, 1934, 359 § 1.

SECT. 129A repealed, 1945, 254.

SECT. 130, sentence added at end, 1945, 132.

SECT. 131 revised, 1936, 302.

SECT. 131C added, 1934, 246 (prohibiting persons licensed to carry pistols and revolvers from carrying the same in vehicles unless said weapons are under their control therein).

SECT. 133 amended, 1939, 451 § 56.

SECT. 136A, under caption "DOGS", added, 1934, 320 § 1 (definitions of certain words and phrases in sections 137-175); amended, 1943, 111 § 1. (See 1934, 320 § 34.)

SECT. 137 amended, 1932, 289 § 1; revised (and caption stricken out) 1934, 320 § 2; revised, 1943, 111 § 2; 1945, 140. (See 1934, 320 § 34.)

SECTS. 137A-137C added, 1934, 320 § 3 (relative to kennel licenses and regulating holders of such licenses). (See 1934, 320 § 34.)

SECT. 137A, paragraph added at end, 1937, 95; first paragraph stricken out and three paragraphs inserted, 1943, 111 § 3.

SECT. 137C revised, 1939, 206.

SECT. 138 revised, 1934, 320 § 4; 1938, 92; 1943, 111 § 4. (See 1934, 320 § 34.)

SECT. 139 amended, 1934, 320 § 5; sentence added at end, 1939, 23; sentence added at end, 1941, 132. (See 1934, 320 § 34.)

SECT. 140 repealed, 1934, 320 § 6. (See 1934, 320 § 34.)

SECT. 141 revised, 1934, 320 § 7. (See 1934, 320 § 34.)

SECTS. 142-144 repealed, 1934, 320 § 8. (See 1934, 320 § 34.)

SECT. 145 amended, 1932, 289 § 2.

SECT. 145A added, 1932, 289 § 3 (relative to the furnishing of anti-rabic vaccine); revised, 1934, 320 § 9; 1937, 375; last sentence revised, 1939, 42. (See 1934, 320 § 34.)

SECT. 146 revised, 1934, 320 § 10; 1941, 133 § 1. (See 1934, 320 § 34.)

SECT. 147 revised, 1932, 289 § 4; 1934, 320 § 11; amended, 1941, 133 § 2. (See 1934, 320 § 34.)

SECT. 148 repealed, 1932, 289 § 6. (See G. L. chapter 41 § 13A, inserted by 1932, 289 § 5.)

SECT. 150 revised, 1934, 320 § 12. (See 1934, 320 § 34.)

SECT. 151 revised, 1934, 320 § 13. (See 1934, 320 § 34.)

SECT. 151A added, 1934, 320 § 14 (powers and duties of dog officers under annual warrants from mayors or selectmen). (See 1934, 320 § 34.)

SECT. 152 revised, 1934, 320 § 15. (See 1934, 320 § 34.)

SECT. 153 revised, 1934, 320 § 16. (See 1934, 320 § 34.)

SECT. 154 repealed, 1934, 320 § 17. (See 1934, 320 § 34.)

SECT. 155 revised, 1934, 320 § 18. (See 1934, 320 § 34.)

SECT. 156 revised, 1934, 320 § 19. (See 1934, 320 § 34.)

SECT. 157 revised, 1934, 320 § 20. (See 1934, 320 § 34.)

SECT. 158 revised, 1934, 320 § 21. (See 1934, 320 § 34.)

SECT. 159 revised, 1934, 320 § 22. (See 1934, 320 § 34.)

SECT. 160 revised, 1934, 320 § 23. (See 1934, 320 § 34.)

SECT. 161, first two sentences amended, 1932, 289 § 7; section amended, 1934, 320 § 24. (See 1934, 320 § 34.)

SECT. 161A added, 1934, 320 § 25 (reimbursement for damages by dogs regulated). (See 1934, 320 § 34.)

SECT. 162 revised, 1934, 320 § 26. (See 1934, 320 § 34.)

SECT. 163 amended, 1934, 320 § 27. (See 1934, 320 § 34.)

- SECT. 164 amended, 1934, 320 § 28. (See 1934, 320 § 34.)
SECT. 165 revised, 1934, 320 § 29. (See 1934, 320 § 34.)
SECT. 166 amended, 1934, 320 § 30. (See 1934, 320 § 34.)
SECT. 170 amended, 1934, 320 § 31. (See 1934, 320 § 34.)
SECT. 171 revised, 1934, 320 § 32. (See 1934, 320 § 34.)
SECT. 172 revised, 1932, 289 § 8.
SECT. 175 revised, 1932, 289 § 9; 1934, 320 § 33; 1943, 93; repealed, 1945, 276 § 2. (See 1934, 320 § 34.)
SECTS. 180A-180D added, under caption "THEATRICAL BOOKING AGENTS, PERSONAL AGENTS AND MANAGERS", 1935, 378 (providing for the licensing and bonding of certain theatrical booking agents, personal agents and managers).
SECT. 180A revised, 1946, 566 § 1.
SECT. 180B revised, 1946, 566 § 2.
SECT. 180C revised, 1946, 566 § 3.
SECT. 181. Affected by 1935, 454 § 8.
SECT. 183A amended, 1935, 102 § 1; 1936, 71 § 1. (See 1935, 102 § 2.)
SECT. 183B repealed, 1936, 71 § 2.
SECT. 184 amended, 1934, 328 § 18.
SECT. 185A amended, 1936, 279; paragraph added at end, 1941, 247.
SECT. 185H added, 1939, 253 (relative to the licensing and supervision of dancing schools, so called).
SECT. 186 amended, 1936, 169 § 1.
SECT. 187 amended, 1936, 169 § 2.
SECT. 202 revised, 1936, 169 § 3.

Chapter 141. — Supervision of Electricians.

- SECT. 1, first paragraph amended, 1943, 308.
SECT. 2, fourth paragraph stricken out, 1946, 480 § 1.
SECT. 2A added, 1946, 480 § 2 (granting a credit in the examination standing of certain veterans applying for electricians' licenses).
SECT. 3, clause (4) amended, 1934, 347 § 1.

Chapter 142. — Supervision of Plumbing.

- SECT. 4, paragraph added at end, 1946, 502.
SECT. 6 revised, 1934, 347 § 2.
SECT. 11 amended, 1945, 703 § 11.
SECT. 13 amended, 1934, 284.
SECT. 17 revised, 1936, 234; 1941, 518 § 1; paragraph added at end, 1945, 477.
SECT. 18 revised, 1941, 518 § 2.
SECT. 19 revised, 1941, 518 § 3.
SECT. 21 added, 1938, 302 (providing for regulation of plumbing in buildings owned and used by the commonwealth).
SECT. 22 added, 1941, 518 § 4 (providing for the enforcement of certain laws relative to the marking, construction and installation of hot water tanks).

Chapter 143. — Inspection and Regulation of, and Licenses for, Buildings, Elevators and Cinematographs.

- SECT. 1, definition of "Alteration" revised, 1945, 480; definitions of "Building" and "Commissioner" inserted, 1945, 480; definition of

"Inspector" amended, 1943, 544 § 7B; revised, 1945, 480; definition of "Place of assembly" inserted after paragraph in lines 12-14, 1943, 546 § 1; revised, 1945, 480; definition of "Public building" revised, 1945, 480; definition of "Public hall" revised, 1946, 363 § 1; definition of "Special hall" revised, 1941, 694; definition of "Structure" inserted, 1945, 480; definition of "Supervisor of plans" revised, 1946, 363 § 1. (See 1945, 722 § 2.)

SECT. 3 revised, 1943, 544 § 2; 1945, 674 § 1; first paragraph revised, 1946, 363 § 2; paragraph inserted after second paragraph, 1946, 423. (See 1945, 722 § 2.)

SECTS. 3A-3H added, 1943, 544 § 2 (providing for rules and regulations for protecting life and limb in places of assembly and for the enforcement of laws, rules and regulations, ordinances and by-laws for protecting the same therein). (See 1943, 544 §§ 7A and 8.)

SECT. 3A revised, 1945, 482 § 1. (See 1945, 722 § 2.)

SECT. 3B revised, 1945, 645, § 2.

SECT. 3C repealed, 1945, 645 § 3.

SECT. 3D revised, 1945, 482 § 2. (See 1945, 722 § 2.)

SECTS. 3E and 3F repealed, 1945, 645 § 3.

SECT. 3G revised, 1945, 482 § 3; 1946, 363 § 3. (See 1945, 722 § 2.)

SECT. 3H revised, 1945, 645 § 4.

SECT. 6 revised, 1946, 363 § 4.

SECT. 8 amended, 1945, 697 § 1.

SECT. 9 revised, 1945, 697 § 2.

SECT. 9A added, 1945, 697 § 2A (relative to recovery for damage to other property caused by the making safe or taking down of a dangerous structure). (See 1945, 697 § 2B.)

SECT. 10 revised, 1945, 697 § 3.

SECT. 12 amended, 1945, 697 § 4.

SECT. 13 revised, 1946, 363 § 5.

SECTS. 15 and 16 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 16 revised, 1945, 473.

SECT. 20 amended, 1945, 700 § 1.

SECT. 21 amended, 1943, 544 § 3; revised, 1943, 546 § 2; 1945, 536. (See 1943, 544 § 7A, 546 § 5; 1945, 722 § 2.)

SECTS. 21A and 21B added, 1943, 546 § 3 (further regulating the means of ingress to and egress from places of assembly and certain other places). (See 1943, 546 §§ 5 and 6.)

SECT. 21A amended, 1945, 474 § 1; 1946, 363 § 6.

SECT. 21B amended, 1945, 482 § 4; revised, 1945, 722 § 1; paragraph added at end, 1946, 327 § 1.

SECT. 21C added, 1946, 327 § 2 (relative to the use and maintenance of revolving doors, so called, in certain buildings).

SECTS. 24-33 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 28 revised, 1945, 474 § 2.

SECT. 33 revised, 1945, 533 § 1; 1946, 363 § 7. (See 1945, 722 § 2.)

SECT. 34 revised, 1943, 544 § 4. (See 1943, 544 § 7A.)

SECT. 43 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECTS. 45 and 46 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 47, last sentence stricken out, 1945, 700 § 2.

SECT. 48 amended, 1945, 700 § 3.

SECT. 49 amended, 1943, 544 § 3; revised, 1945, 526. (See 1943, 544 § 7A.)

SECT. 50, sentence added at end, 1945, 472. (See 1945, 722 § 2.)

SECTS. 51 and 52 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 51 revised, 1945, 510.

SECT. 52 revised, 1945, 478.

SECT. 54 revised, 1943, 544 § 5. (See 1943, 544 § 7A.)

SECT. 57 revised, 1945, 533 § 2. (See 1945, 722 § 2.)

SECT. 59 revised, 1943, 544 § 6; 1945, 533 § 3. (See 1943, 544 § 7A; 1945, 722 § 2.)

SECT. 60 amended, 1945, 533 § 4. (See 1945, 722 § 2.)

SECT. 61 revised, 1945, 674 § 2. (See 1945, 722 § 2.)

SECT. 69 revised, 1945, 643 § 2.

SECTS. 71A-71C added, 1945, 626 § 1 (providing for the licensing of persons engaged in the construction and maintenance of elevators and escalators). (See 1945, 626 § 2.)

SECT. 71D added, 1946, 495 (providing that persons engaged in certain work in the construction and maintenance of elevators and escalators need not be licensed as elevator constructors, maintenance men or repairmen).

SECT. 74 revised, 1941, 553 § 1. (See 1941, 553 § 9.)

SECT. 75 revised, 1941, 553 § 2. (See 1941, 553 § 9.)

SECT. 76 revised, 1941, 553 § 3. (See 1941, 553 § 9.)

SECTS. 77 and 78 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 79 revised, 1941, 553 § 5. (See 1941, 553 § 9.)

SECT. 80 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 82 amended, 1941, 553 § 6. (See 1941, 553 § 9.)

SECT. 85 amended, 1941, 553 § 7. (See 1941, 553 § 9.)

SECT. 86 amended, 1941, 553 § 8. (See 1941, 553 § 9.)

Chapter 145. — Tenement Houses in Towns.

SECT. 17A added, 1934, 168 (relative to the erection of garages in the yards of certain tenement houses).

Chapter 146. — Inspection of Boilers, Air Tanks, etc., Licenses of Engineers, Firemen, and Operators of Hoisting Machinery.

SECT. 2 amended, 1941, 459; 1946, 336 § 1.

SECT. 4 amended, 1946, 336 § 2.

SECT. 16 revised, 1932, 180 § 28.

SECT. 34 revised, 1938, 319 § 1.

SECT. 35 amended, 1938, 319 § 2.

SECT. 50 amended, 1935, 67.

SECT. 67 revised, 1941, 525 § 1; amended, 1946, 180. (See 1941, 525 § 2.)

Chapter 147. — State and Other Police, and Certain Powers and Duties of the Department of Public Safety.

SECT. 4B added, 1939, 116 (providing that local police authorities and district attorneys be furnished with information relative to certain persons charged with or convicted of sex crimes, so called, upon their release or discharge from certain institutions).

SECT. 8A added, 1938, 296 (authorizing the carrying of certain weapons by sheriffs, deputy sheriffs and special sheriffs, and certain officers in the department of correction); revised, 1939, 174.

SECT. 10 amended, 1934, 23.

SECTS. 13B and 13C added, 1939, 419 § 2 (providing for the ultimate abolition of reserve police forces in certain cities and towns).

SECT. 16A added, 1937, 85 § 1 (providing for one day off in every seven days for police officers in certain cities and towns); revised, 1938, 426 § 1.

SECT. 16B added, 1938, 426 § 2 (providing for one day off in every six days for police officers of certain cities and towns).

SECT. 17 amended, 1937, 85 § 2; 1938, 426 § 3.

SECT. 19, sentence added after the first sentence, 1939, 256 § 2. (See 1939, 256 § 3.)

SECTS. 25A-25C added, 1937, 437 § 1 (relative to promoting peaceful industrial relations by regulating certain forms of private police and detective activity in labor disputes and related matters).

SECT. 26 amended, 1937, 437 § 2.

SECT. 30 revised, 1937, 437 § 3.

SECT. 32 revised, 1935, 262 § 1.

SECT. 33 amended, 1935, 262 § 2.

SECT. 35 revised, 1934, 69.

SECT. 36 revised, 1932, 79.

Chapter 148. — Fire Prevention.

SECT. 1, definition of "Head of the fire department" revised, 1945, 470; definition of "local licensing authority" amended, 1932, 102; three paragraphs added at end, defining "Board," "Building" and "Structure," 1945, 470.

SECT. 3 amended, 1945, 700 § 4.

SECT. 4 amended, 1945, 710 § 2.

SECT. 5, sentence in lines 16-17 amended, 1945, 463.

SECT. 9 amended, 1945, 710 § 3.

SECT. 10 revised, 1945, 710 § 4.

SECT. 10A added, 1932, 75 (relative to the granting of certain permits and the making of certain inspections by municipal officers designated by the state fire marshal); revised, 1945, 479.

SECT. 13, first paragraph amended, 1932, 22 § 1; section amended, 1935, 123 § 1; revised, 1936, 394 § 1; first paragraph amended, 1945, 415 § 1; revised, 1945, 710 § 5; second paragraph amended, 1945, 710 § 6; third paragraph amended, 1939, 333; 1945, 710 § 7; fourth paragraph amended, 1945, 710 § 8; last paragraph amended, 1938, 99. (See 1932, 22 § 2; 1936, 394 §§ 2, 3; 1945, 415 § 2; 710 § 19.)

SECT. 14 amended, 1938, 103.

SECT. 16 amended, 1941, 288.

SECT. 18 repealed, 1934, 182 § 2.

SECT. 20A added, 1946, 501 (relative to bonds to cover risk of damages from blasting operations conducted in several municipalities).

SECT. 21 amended, 1945, 710 § 9.

SECT. 22 amended, 1945, 710 § 10.

SECT. 23 amended, 1935, 123 § 2.

SECT. 25 amended, 1945, 710 § 11.

SECT. 26 amended, 1945, 481.

SECT. 27A added, 1932, 283 (relative to the protection of life and property from fire hazards incident to the present industrial emergency).

SECT. 28, paragraph L amended, 1943, 546 § 4; section amended, 1945, 710 § 12; paragraph L revised and paragraph N added, 1946, 363 § 9. (See 1943, 546 § 5.)

SECT. 29 amended, 1939, 205.

SECT. 30 amended, 1945, 710 § 13.

SECT. 31 amended, 1945, 460.

SECT. 38 amended, 1945, 710 § 14.

SECT. 38A added, 1938, 95 (prohibiting the removal of certain gasoline tanks without a permit).

SECT. 39 revised, 1943, 291 § 1.

SECT. 39A added, 1943, 291 § 2 (authorizing the making of rules and regulations for the granting of permits for supervised displays of fireworks); amended, 1945, 256; 710 § 15.

SECT. 40 amended, 1945, 710 § 16.

SECT. 46 amended, 1945, 710 § 17.

SECTS. 48 and 49 repealed, 1946, 282.

SECT. 49A added, 1934, 182 § 1 (relative to the inspection of kerosene or any product thereof kept for sale for illuminating, heating or cooking purposes); repealed, 1946, 282.

SECT. 50 amended, 1943, 291 § 3.

SECT. 53 repealed, 1943, 291 § 4.

Chapter 149. — Labor and Industries.

For temporary legislation authorizing the commissioner of labor and industries to suspend certain laws, rules and regulations relative to the employment of women and minors when necessary to provide relief from conditions resulting from the present shortage of man power, see 1943, 382.

For legislation relative to interstate compacts affecting labor and industry, see 1933, Res. 44; 1934, 383, Res. 25; 1935, 315 §§ 1-3; 1936, Res. 68; 1937, 404; 1943, 255.

SECT. 1, paragraph defining "co-operative courses" amended, 1939, 461 § 4; paragraph defining "discrimination" inserted, 1937, 367 § 1; paragraphs defining "employee" and "employer" inserted, 1945, 584 § 1; definition of "employment" amended, 1945, 584 § 2; revised, 1945, 646; paragraph defining "employment permit", "permit for employment" or "employment certificate" inserted, 1939, 461 § 4A; revised, 1945, 133 § 3; paragraph defining "mercantile establishments" amended, 1936, 78.

SECT. 6 amended, 1934, 132 § 1; 1937, 249. (See 1934, 132 § 2.)

SECT. 8 amended, 1943, 441.

SECT. 11 amended, 1935, 328.

SECT. 17 amended, 1945, 430.

SECT. 20A added, 1933, 351 § 1 (relative to the judicial enforcement of certain contracts relative to membership in labor or employers' organizations). (See 1933, 351 § 2.)

SECTS. 20B and 20C added, 1935, 407 § 1 (regulating the liability of labor unions and others involved in labor disputes, and defining labor disputes and other terms used in connection therewith). (See 1935, 407 § 6.)

SECT. 20C. See 1937, 436 § 10; G. L. 150A § 6 (h) inserted by 1938, 345 § 2.

SECT. 23 amended, 1935, 114.

SECT. 23A added, 1934, 233 (regulating the employment of armed guards in connection with strikes, lockouts and other labor troubles).

SECT. 24 amended, 1933, 272.

SECTS. 24A–24J added, under the caption “DISCRIMINATION AGAINST CERTAIN PERSONS IN EMPLOYMENT ON ACCOUNT OF AGE”, 1937, 367 § 2.

SECTS. 26 and 27 stricken out, and new sections 26–27D added, 1935, 461 (relative to preference and minimum wages of veterans and others in certain employments on certain public works).

SECT. 26, paragraph added at end, 1937, 346; same paragraph revised, 1938, 413; 1946, 591 § 46.

SECT. 27E added, 1938, 67 (establishing residential requirements to be observed in the employment of certain persons by the department of public works).

SECT. 29 amended, 1935, 217 § 2; revised, 1935, 472 § 2; 1938, 361.

SECT. 30 revised, 1936, 367 § 1.

SECT. 32 revised, 1945, 680.

SECT. 34 amended, 1936, 367 § 2.

SECT. 34A added, 1938, 438 (requiring contractors on public buildings and other public works to provide and continue in force, during the full term of the contract, insurance under the Workmen’s Compensation Law, so called).

SECT. 34B added, 1939, 252 (regulating the rate of compensation paid to reserve police officers by contractors on certain public works).

SECT. 36 amended, 1942, 1 § 7. (See 1942, 1 § 9.)

SECT. 39 revised, 1935, 444 § 1. (See 1935, 444 § 2.)

SECT. 40 revised, 1945, 426 § 1. (See 1945, 426 § 2.)

SECTS. 44A–44D added, 1939, 480 (requiring fair competition for bidders on the construction, reconstruction, alteration, remodelling or repair of certain public works by the commonwealth or any political subdivision thereof).

SECT. 44A revised, 1941, 699 § 1.

SECT. 44C, subsection (B) revised, 1941, 699 § 2; subsection (D) amended, 1941, 699 § 3; first paragraph of subsection (E) revised, 1941, 699 § 4; sentence added at end of subsection (E), 1941, 699 § 5; last paragraph of “Draft of Proposal Form” amended, 1941, 699 § 6; paragraph contained in lines 14–18 of the “Proposal Form (Sub-Bidder)” amended, 1941, 699 § 7.

SECT. 48 revised, 1935, 185, 423 § 3; amended, 1938, 320; revised, 1939, 235 § 1.

SECT. 49 amended, 1937, 221; revised, 1938, 295.

SECT. 50 revised, 1933, 225; amended, 1935, 423 § 1.

SECT. 50A added, 1935, 423 § 2 (making one day’s rest in seven law applicable to watchmen and employees maintaining fires in certain establishments).

SECT. 51 revised, 1939, 235 § 2.

SECT. 55 revised, 1945, 87.

SECT. 56 amended, 1932, 110 § 1; revised, 1935, 200; first sentence stricken out and two sentences inserted, 1939, 377; section amended, 1941, 574, 610 § 1; paragraph added at end, 1946, 241 § 1. (See 1941, 610 §§ 2, 3.)

SECT. 57 amended, 1932, 110 § 2.

SECT. 59 amended, 1933, 193 § 1; 1936, 170 § 1. (For temporary legislation authorizing the commissioner of labor and industries to suspend certain provisions relative to the hours of employment of women in the textile and leather industries, see 1933, 347; time for suspension as to the textile industry extended, 1935, 429; 1936, 154; 1937, 153; 1938, 68; 1939, 96; 1941, 154; 1943, 306; 1945, 14; 1946, 96. For temporary legislation suspending certain provisions relative to the hours of employment of women and children in the textile industry and to their meal periods, 1946, 127, 560.)

SECT. 60 revised, 1935, 203; paragraph added at end, 1939, 193 § 1; section revised, 1939, 273, 461 § 5. (See 1939, 461 § 13.)

SECT. 61, clause (1) revised, 1946, 241 § 2.

SECT. 62, clause (13) amended, 1934, 328 § 19; section amended, 1945, 337; clause (15) added, 1946, 171.

SECT. 65 amended, 1939, 352; revised, 1939, 461 § 6.

SECT. 66 amended, 1933, 193 § 2; 1936, 170 § 2; 1939, 255; 1946, 48; affected, 1946, 127; 560.

SECT. 67 revised, 1939, 348.

SECTS. 69-73. See 1934, 114.

SECT. 69 amended, 1939, 461 § 7.

SECT. 70, sentence added at end, 1939, 94; section revised, 1945, 133 § 4.

SECT. 71 amended, 1945, 133 § 5.

SECT. 73 revised, 1939, 461 § 8.

SECT. 78 amended, 1934, 292 § 1.

SECT. 84 amended, 1932, 180 § 29.

SECT. 86 revised, 1939, 461 § 9.

SECT. 87 revised, 1939, 461 § 10.

SECT. 88 amended, 1945, 133 § 6.

SECT. 89 revised, 1945, 133 § 7.

SECT. 90 revised, 1945, 133 § 8.

SECT. 94 revised, 1939, 461 § 11.

SECT. 95, first paragraph amended, 1945, 133 § 9.

SECT. 100 amended, 1939, 280; affected, 1946, 127; 560.

SECT. 101 revised, 1938, 335.

SECT. 104 amended, 1932, 27; 1939, 193 § 2.

SECTS. 105A-105C added, 1945, 584 § 3 (penalizing discriminatory wage rates based on sex).

SECT. 113 revised, 1934, 255.

SECT. 117 revised, 1935, 208.

SECT. 126 revised, 1945, 528.

SECT. 135 amended, 1933, 64.

SECTS. 142A-142F added, under caption "BENZOL AND MIXTURES CONTAINING BENZOL", 1933, 304 (regulating the sale, distribution, storage and use of benzol and its compounds).

SECT. 142A amended, 1935, 463 § 1.

SECT. 142B revised, 1935, 463 § 2.

SECTS. 143-147A, and the heading above section 143, stricken out, and new sections 143-147H inserted, under the heading "INDUSTRIAL HOMEWORK", 1937, 429.

SECT. 143 revised, 1945, 600 § 1.

SECT. 144 amended, 1945, 600 § 2.

SECT. 147 amended, 1941, 539; first paragraph amended, 1945, 600 § 3.

SECT. 147A added, 1932, 234 (requiring the furnishing of certain information to the department of labor and industries with respect to the performance of certain industrial work in tenements and dwelling houses); section stricken out and new section inserted, 1937, 429; amended, 1939, 461 § 12.

SECT. 147B amended, 1945, 600 § 4.

SECT. 147C amended, 1945, 600 § 5.

SECT. 147D amended, 1945, 600 § 6.

SECT. 147G amended, 1945, 600 § 7.

SECT. 148, last sentence amended, 1932, 101 § 1; section revised, 1935, 350; 1936, 160; paragraph inserted after first paragraph, 1943, 467; paragraph inserted after third paragraph, 1943, 378; same paragraph amended, 1943, 563; revised, 1946, 414.

SECT. 150, sentence added at end, 1932, 101 § 2.

SECT. 150A added, 1938, 403 (requiring employers to furnish certain information to employees relative to deductions from wages for social security and unemployment compensation benefits).

SECT. 150B added, 1943, 385 (prohibiting labor unions from requiring payment of certain fees as a condition of securing or continuing employment).

SECT. 156 amended, 1935, 363 § 1; 1941, 164. (See 1935, 363 § 2.)

SECT. 157A added, 1933, 268 (insuring to piece or job workers in factories and workshops information relative to their compensation).

SECT. 159A added, 1937, 342 § 1 (to prevent the misleading of patrons of certain places as to the beneficiaries of tips given to hat-check and cigarette girls and the like).

SECT. 170 amended, 1945, 580 § 8. (See 1945, 580 § 9.)

SECT. 178A added, 1932, 175 (authorizing the payment of small amounts of wages or salary of intestate employees to certain next of kin without administration).

SECT. 179B added, 1941, 642 (requiring the giving of notice to the Commissioner of Labor and Industries of the commencement or a change of location of operations by industries in this commonwealth).

Chapter 150. — Conciliation and Arbitration of Industrial Disputes.

SECT. 3 amended, 1938, 364 § 1; 1939, 111.

SECT. 5 revised, 1938, 364 § 2.

SECT. 7, fifth sentence amended, 1946, 590 § 1.

SECT. 9, last sentence amended, 1946, 590 § 2.

Chapter 150A. — Labor Relations.

New chapter inserted, 1938, 345 § 2 (incorporating the provisions of 1937, 436, relative to labor relations as an addition to the General Laws). (See 1938, 345 §§ 3, 4.)

SECT. 5, subsection (b) amended, 1939, 318.

SECT. 6, subsection (h) amended, 1941, 261.

SECT. 10, paragraph (b) revised, 1945, 354.

Chapter 151. — Minimum Fair Wages for Women and Minors (former title, The Minimum Wage).

For legislation making this chapter applicable to adult male persons, see 1946, 545.

The following references are to chapter 151, as appearing in the Tercentenary Edition:

SECT. 8 amended, 1933, 110.

SECTS. 11A–11D added, 1933, 220 § 1 (relative to the more effective enforcement of decrees of the minimum wage commission). (See 1933, 220 § 2.)

Chapter stricken out, and new chapter 151 inserted, 1934, 308 § 1. (See 1934, 308 §§ 2, 3; 1935, 267. See also 1933, Res. 44; 1934, 383, Res. 25).

The following references are to chapter 151, as inserted by 1934, 308 § 1:

SECT. 1 revised, 1936, 430 § 1. (See 1936, 430 §§ 18–22.)

SECT. 2 revised, 1936, 430 § 2. (See 1936, 430 §§ 18–22.)

SECT. 3 amended, 1936, 430 § 3. (See 1936, 430 §§ 18–22.)

SECT. 4 revised, 1936, 430 § 4. (See 1936, 430 §§ 18–22.)

SECT. 7 revised, 1936, 430 § 5. (See 1936, 430 §§ 18–22.)

SECT. 10 revised, 1936, 430 § 6. (See 1936, 430 §§ 18–22.)

SECT. 12 revised, 1936, 430 § 7. (See 1936, 430 §§ 18–22.)

SECT. 13 amended, 1936, 175; revised, 1936, 430 § 8. (See 1936, 430 §§ 18–22.)

SECT. 14 revised, 1936, 430 § 9. (See 1936, 430 §§ 18–22.)

SECT. 15 revised, 1936, 430 § 10. (See 1936, 430 §§ 18–22.)

SECT. 16 amended, 1936, 430 § 11. (See 1936, 430 §§ 18–22.)

SECT. 17 amended, 1936, 430 § 12. (See 1936, 430 §§ 18–22.)

SECT. 20 amended, 1936, 430 § 13. (See 1936, 430 §§ 18–22.)

SECT. 21 revised, 1936, 430 § 14. (See 1936, 430 §§ 18–22.)

SECT. 22 revised, 1936, 430 § 15. (See 1936, 430 §§ 18–22.)

SECT. 23 amended, 1936, 430 § 16. (See 1936, 430 §§ 18–22.)

SECT. 24 revised, 1936, 430 § 17. (See 1936, 430 §§ 18–22.)

Chapter stricken out, and new chapter 151 (with new title) inserted, 1937, 401 § 1. (See 1937, 401 §§ 2, 3.)

The following references are to chapter 151, as inserted by 1937, 401 § 1:

SECT. 19, paragraph added at end, 1938, 237.

SECT. 20A added, 1939, 275 (relative to evidence of the establishment of minimum fair wage rates).

Chapter 151A. — Employment Security (former title, Unemployment Compensation).

For legislation providing for the payment of unemployment compensation benefits to persons upon termination of service in the military or naval forces of the United States during the present national emergency, see 1941, 701; 1943, 319; 1946, 168.

New chapter inserted, 1935, 479 § 5. (See 1935, 479 §§ 6, 7; 1936, 12 § 3, 249 § 16.)

The following references are to chapter 151A, as inserted by 1935, 479 § 5:

SECT. 1, clauses (1) to (9), inclusive, of paragraph (a) revised, 1936, 249 § 1; paragraph (b) amended, 1936, 249 § 2; paragraph (k) amended,

1936, 249 § 3; paragraph (*m*) amended, 1936, 249 § 4; paragraph (*n*) revised, 1936, 249 § 5.

SECT. 3 revised, 1936, 249 § 6.

SECT. 4 revised, 1936, 249 § 7.

SECT. 7, paragraph added at end, 1936, 249 § 8.

SECT. 7A added, 1936, 249 § 9 (relative to refunding of over-payments or collection of under-payments of contributions).

SECT. 10 amended, 1936, 249 § 10.

SECT. 12 amended, 1936, 12 § 1.

SECT. 17, paragraph (*a*) amended, 1936, 249 § 11.

SECT. 18, paragraph (*a*) amended, 1936, 249 § 12.

SECT. 19, paragraph defining "suitable employment" amended, 1936, 12 § 2.

SECT. 20 amended, 1936, 249 § 13.

SECT. 24, second paragraph stricken out, 1936, 249 § 14.

SECT. 48 amended, 1936, 249 § 15.

Chapter stricken out, and new chapter 151A (with same title) inserted, 1937, 421 § 1. (See 1937, 421 §§ 2-4.)

The following references are to chapter 151A, as inserted by 1937, 421 § 1:

SECT. 1, paragraphs (1) and (2) inserted after subsection (*a*), 1939, 490 § 1; subsection (*b*) revised, 1939, 20 § 2; subsection (*f*) clause (5) amended, 1939, 319 § 1; subsection (*f*) clause (8) added, 1939, 374 § 1 (see 1939, 374 § 6); subsection (*f*) revised, 1939, 490 § 2; subsection (*k*) revised, 1938, 469 § 1; amended, 1939, 490 § 3; subsection (*l*) revised, 1938, 469 § 2; amended, 1939, 490 § 4; subsection (*n*) amended, 1939, 490 § 19. (See 1938, 469 § 20; 1939, 20 §§ 6-9; 1939, 319 §§ 10, 11.)

SECT. 1A, subsections (1) and (2) revised, 1938, 469 § 3; subsection (6) added, 1938, 469 § 4. (See 1938, 469 § 20.)

SECT. 3 revised, 1939, 319 § 2; amended, 1939, 490 § 17; revised, 1939, 490 § 23. (See 1939, 319 §§ 10, 11.)

SECT. 4, first paragraph revised, 1938, 469 § 5; fifth paragraph stricken out, 1938, 469 § 6; paragraph inserted before the last paragraph, 1938, 469 § 7; last paragraph revised, 1938, 470 § 2; section revised, 1939, 319 § 3. (See 1938, 469 § 20, 470 §§ 1 and 3; 1939, 319 §§ 10, 11.)

SECT. 8, last paragraph stricken out, 1939, 319 § 4. (See 1939, 319 §§ 10, 11.)

SECT. 9 amended, 1939, 319 § 5. (See 1939, 319 §§ 10, 11.)

SECT. 10 amended, 1939, 319 § 6. (See 1939, 319 §§ 10, 11.)

SECT. 11, subsection (*a*) revised, 1938, 469 § 8. (See 1938, 469 § 20.)

SECT. 12, last sentence stricken out, 1939, 319 § 7. (See 1939, 319 §§ 10, 11.)

SECT. 14, subsection (*a*) revised, 1938, 469 § 9; 1939, 490 §§ 5, 6; subsection (*c*) revised, 1938, 469 § 10; subsection (*d*) added, 1938, 469 § 11. (See 1938, 469 § 20.)

SECT. 15, subsection (*a*) revised, 1938, 469 § 12; 1939, 490 § 7. (See 1938, 469 § 20.)

SECT. 16, subsection (*c*) revised, 1939, 490 § 8; first paragraph of subsection (*d*) revised, 1938, 469 § 13; subsection (*e*) revised, 1939, 490 § 9; subsection (*f*) added, 1938, 469 § 14; subsections (*g*), (*h*) added, 1939, 374 § 2. (See 1938, 469 § 20; 1939, 374 § 6.)

SECT. 17 revised, 1938, 469 § 15; 1939, 490 § 10. (See 1938, 469 § 20.)

SECT. 18, subsection (a) revised, 1938, 469 § 16; amended and revised, 1939, 490 § 11; subsection (b) stricken out, 1939, 490 § 13; subsection (c) stricken out, 1939, 490 § 13; subsection (d) revised, 1938, 469 § 17; 1939, 490 § 12; stricken out, 1939, 490 § 13. (See 1938, 469 § 20.)

SECT. 19 revised, 1939, 490 § 14.

SECT. 22A revised, 1939, 319 § 8. (See 1939, 319 §§ 10, 11.)

SECT. 26 amended, 1938, 469 § 18. (See 1938, 469 § 20.)

SECTS. 26-33, stricken out and new sections 26-31 inserted, 1939, 20 § 3.

SECTS. 26, 27, 28 (as appearing in 1939, 20 § 3) revised, 1939, 490 § 15.

SECT. 30 (as appearing in 1939, 20 § 3) amended, 1939, 490 § 16.

SECT. 35 amended, 1939, 490 § 21.

SECT. 36 amended, 1939, 490 § 18.

SECT. 41, second sentence revised, 1939, 20 § 4.

SECT. 42 amended, 1939, 319 § 9. (See 1939, 319 §§ 10, 11.)

SECT. 43 revised, 1939, 374 § 3. (See 1939, 374 § 6.)

SECT. 45 revised, 1939, 20 § 5.

SECT. 47 revised, 1938, 163.

SECT. 47A added, 1939, 374 § 4 (authorizing the director of the division of unemployment compensation to co-operate with certain federal agencies charged with the administration of laws relative to unemployment). (See 1939, 374 § 6.)

SECT. 48, paragraph added at end, 1939, 374 § 5. (See 1939, 374 § 6.)

SECT. 52 added, 1938, 469 § 19 (powers of the unemployment compensation commission when employer fails or refuses to make any required report or return). (See 1938, 469 § 20.)

SECT. 53 added, 1938, 469 § 19 (authorizing the payment without administration of unemployment compensation benefits due a deceased person in certain cases); revised, 1939, 490 § 20. (See 1938, 469 § 20.)

NOTE — SEE SECT. 53, *INFRA*.

SECT. 53 added, 1939, 490 § 22 (relative to the preparation, use as evidence and disposition of certain records, reports, claims and other papers). NOTE — SEE SECT. 53, *SUPRA*.

SECT. 54 added, 1938, 469 § 19 (relative to the effect to be given any ruling or decision of the unemployment compensation commission). (See 1938, 469 § 20.)

Chapter stricken out, and new chapter 151A (with new title) inserted, 1941, 685 § 1. (See 1941, 685 §§ 7-11; 1941, 686.)

The following references are to chapter 151A, as so inserted:

SECT. 8, subsections (g) and (h) added at end, 1943, 534 § 2.

SECT. 11 revised, 1941, 685 § 2.

SECT. 14, subsection (b) (2) revised, 1943, 534 § 1; amended, 1945, 484 § 2; 1946, 170 § 2; subsection (c) added, 1943, 534 § 1A; designations of subsections (c) and (d) changed to (d) and (e), respectively, 1943, 534 § 1B; subsection (c) revised, 1945, 516; paragraph in lines 48-72 revised, 1946, 360.

SECT. 15, subsection (c) revised, 1943, 373.

SECT. 22, sentence added at end, 1945, 625 § 2.

SECT. 23, subsection (a) revised, 1941, 685 § 3; subsection (e) stricken out, 1943, 534 § 3.

SECT. 25, subsection (d) amended, 1945, 356.

SECT. 27 amended, 1945, 625 § 3.

SECT. 29, subsection (a) revised, 1943, 534 § 5; 1945, 484 § 1; 1946, 170 § 1; subsection (c) added, 1946, 611.

SECT. 30 amended, 1945, 484 § 3.

SECT. 33 repealed, 1943, 534 § 4.

SECT. 42 revised, 1943, 534 § 6.

Chapter 151B. — Unlawful Discrimination against Race, Color, Religious Creed, National Origin or Ancestry.

New chapter inserted, 1946, 368 § 4.

Chapter 152. — Workmen's Compensation.

For legislation requiring manufacturers to insure under the workmen's compensation act where employees work on machinery, see 1936, 426.

SECT. 1, two sentences added at end of paragraph (1), 1935, 332 § 1; paragraph (1) revised, 1943, 529 § 1; paragraph (4) revised, 1935, 406; 1943, 529 § 3; 1945, 369; paragraph (5) revised, 1943, 529 § 1A; paragraph (6) amended, 1943, 529 § 2; paragraph (7A) added, 1941, 437. (See 1943, 529 § 14.)

SECT. 2A added, 1946, 386 § 3 (limiting the application of certain acts in amendment of G. L. 152 increasing the amounts of compensation payable thereunder).

SECT. 4 revised, 1939, 83.

SECT. 5, paragraph added at end, 1943, 359.

SECT. 6 amended, 1945, 347.

SECT. 9A revised, 1938, 381.

SECT. 9B added, 1935, 424 (providing for the reference of certain cases under the workmen's compensation law to industrial disease referees); revised, 1938, 462.

SECT. 11 amended, 1932, 129 § 1; paragraph added at end, 1935, 484; paragraph added at end, 1939, 213 § 1. (See 1939, 213 § 2.)

SECT. 11A added, 1945, 444 (relieving employees and their dependents of the expenses of certain appeals in workmen's compensation cases).

SECT. 12, last paragraph amended, 1932, 117 § 1. (See 1932, 117 § 2; 1935, 351.)

SECT. 13, sentence added at end, 1933, 68.

SECT. 15 revised, 1939, 401; 1943, 432.

SECT. 15A amended, 1934, 252.

SECT. 18, sentence added at end, 1938, 102; section amended, 1939, 93.

SECT. 19, paragraph in lines 17 and 18 revised, 1935, 339; same paragraph revised, 1939, 245; paragraph added at end, 1941, 379 § 11.

SECT. 19A added, 1935, 359 (requiring certain notices from employers not insured under the workmen's compensation law).

SECT. 19B added, 1941, 410 (requiring the posting of notices by certain employers not covering their employees by workmen's compensation insurance).

SECT. 20 revised, 1935, 340; amended, 1945, 464; last two sentences revised, 1946, 390.

SECT. 20A added, 1945, 468 (requiring employers and certain insurers who maintain clinics, etc., for the treatment of injured employees, to furnish such employees with copies of all medical examinations).

SECT. 21 amended, 1943, 529 § 4. (See 1943, 529 § 14.)

SECT. 22 amended, 1943, 529 § 13. (See 1943, 529 § 14.)

SECT. 23 revised, 1943, 529 § 5. (See 1943, 529 § 14.)

SECT. 24 amended, 1943, 529 § 6. (See 1943, 529 § 14.)

SECTS. 25A-25D added, 1943, 529 § 7, under caption "Compulsory Compensation and Self-Insurance." (See 1943, 529 § 14.)

SECT. 25A, paragraph (2) (a) amended, 1945, 316; sixth sentence revised, 1946, 472 § 1; paragraph (2) (b), first sentence revised, 1945, 518; 1946, 472 § 2; paragraph (2) (c) revised, 1945, 344.

SECT. 26 amended, 1937, 370 § 1; revised, 1943, 302; 529 § 8; paragraph added at end, 1945, 623 § 1. (See 1943, 529 § 14.)

SECT. 26A added, 1937, 370 § 2 (providing for payment of workmen's compensation in certain cases of suicide).

SECT. 27 revised, 1935, 331.

SECT. 28 amended, 1934, 292 § 2; revised, 1943, 529 § 9. (See 1943, 529 § 14.)

SECT. 29 revised, 1935, 372; 1937, 382.

SECT. 30 revised, 1936, 164; 1943, 181; 1946, 233 § 1. (See 1946, 233 § 2.)

SECT. 31, first paragraph amended, 1934, 250; paragraph contained in the seventh to the forty-fourth lines revised, 1937, 325; same paragraph amended, 1943, 368; revised, 1945, 572; last paragraph revised, 1943, 400.

SECT. 32, new paragraph added, 1935, 361 (relative to payments under the workmen's compensation law to dependents of deceased minor employees).

SECT. 33 revised, 1939, 81; 1941, 495.

SECT. 34 revised, 1935, 332 § 2; 1941, 624; 1945, 717; 1946, 321 § 1. (See 1946, 321 § 4.)

SECT. 34A added, 1935, 364 (providing for payments for total and permanent disability under the workmen's compensation law, and establishing methods of determining the same); amended, 1943, 276; revised, 1945, 717; first paragraph revised, 1946, 321 § 2. (See 1946, 321 § 4.)

SECT. 35 amended, 1943, 299; revised, 1945, 717; 1946, 321 § 3. (See 1946, 321 § 4.)

SECT. 35A added, 1945, 717 (providing for an increase in certain weekly benefits under the workmen's compensation law in certain cases); revised, 1946, 553.

SECT. 36, paragraph (j) revised, 1933, 257; section revised, 1935, 333; paragraph (f) amended, 1946, 386 § 1. (See 1946, 386 § 2.)

SECT. 37 amended, 1937, 321.

SECT. 37A added, 1945, 623 § 2 (relative to payments to disabled war veterans subsequently injured in industry).

SECT. 39 amended, 1937, 317.

SECT. 46 amended, 1941, 378; 1945, 623 § 2A.

SECT. 52A added, 1939, 465 § 2 (relative to insuring against silicosis and other occupational pulmonary dust diseases). (See 1939, 465 § 4.)

SECT. 52B added, 1945, 581 (relative to the payment of premiums for workmen's compensation insurance in certain cases).

SECT. 54A added, 1935, 425 (relative to safeguarding and extending the workmen's compensation law by making void certain contracts or agreements in the nature of insurance which do not insure the payment of the compensation provided for by said law).

SECT. 55, second paragraph revised, 1934, 137 § 1.

SECT. 65 amended, 1935, 395; 1936, 162; 1937, 394; revised, 1939, 465 § 3; amended, 1943, 367. (See 1939, 465 § 4.)

SECTS. 65A-65M added, 1939, 489 (providing for the equitable distribution of rejected risks among insurers of workmen's compensation, and the pooling of losses in connection with such risks).

SECT. 65N added, 1945, 623 § 3 (establishing a special fund to encourage the employment in industry of disabled war veterans).

SECT. 66 revised, 1943, 529 § 9A. (See 1943, 529 § 14.)

SECT. 67 revised, 1943, 529 § 10. (See 1943, 529 § 14.)

SECT. 68 revised, 1943, 529 § 11. (See 1943, 529 § 14.)

SECT. 69 revised, 1933, 318 § 7; 1936, 260; amended, 1936, 403; revised, 1939, 435; last sentence revised, 1939, 468; section amended, 1941, 614; 1945, 729; 1946, 422.

SECT. 69A added, 1933, 315 (regulating workmen's compensation payments by the commonwealth).

SECT. 69B added, 1936, 427 (further regulating workmen's compensation payments by the commonwealth).

SECT. 73, first sentence amended, 1936, 318 § 4; 1937, 336 § 23; 1941, 379 § 12.

SECT. 73A added, 1941, 649 (to provide for the employment of partially disabled public employees and temporary filling of their original positions).

SECT. 74 amended, 1939, 451 § 57; 1941, 344 § 26.

SECT. 75 revised, 1932, 19.

SECTS. 76-85 added, 1939, 465 § 1 (providing workmen's compensation benefits for employees in the granite industry contracting silicosis and other occupational pulmonary dust diseases). (See 1939, 465 § 4.)

SECT. 76 revised, 1943, 529 § 12. (See 1943, 529 § 14.)

Chapter 153. — Liability of Employers to Employees for Injuries not resulting in Death.

SECT. 6 amended, 1935, 387.

Chapter 154. — Assignment of Wages.

SECT. 8 added, 1933, 96 (exempting orders for payment of labor or trade union or craft dues or obligations from the operation of the laws regulating assignments of wages); amended, 1939, 125.

Chapter 155. — General Provisions relative to Corporations.

SECT. 1 revised, 1935, 297 § 1. (See 1935, 297 § 3.)

SECT. 9 amended, 1938, 327 § 1; revised, 1943, 295. (See 1938, 327 § 2.)

SECT. 10 amended, 1933, 11; third sentence revised, 1943, 549 § 4.

SECT. 12A added, 1938, 164 § 1 (making permanent certain provisions of law authorizing domestic corporations to contribute to certain

funds for the benefit of social and economic conditions); amended, 1946, 278. (See 1938, 164 §

SECT. 15 revised, 1939, 14.

SECT. 23A added, 1935, 297 § 2 (regulating sales of stocks, bonds and other securities of corporations to their employees); repealed, 1938, 445 § 13. (See 1935, 297 § 3; G. L. chapter 110A § 11A, inserted by 1938, 445 § 9.)

SECT. 50 amended, 1933, 66.

SECT. 50A added, 1939, 456 § 1 (relative to the dissolution of domestic corporations); amended, 1943, 383.

SECT. 56, first sentence revised, 1939, 456 § 2.

Chapter 156. — Business Corporations.

SECT. 5 amended, 1939, 301 § 1.

SECT. 6, clause (e) amended, 1939, 15 § 1.

SECT. 12, form of certificate revised, 1932, 67.

SECT. 30 amended, 1937, 52.

SECT. 36 revised, 1941, 514 § 1.

SECT. 41 revised, 1932, 136.

SECT. 42 amended, 1943, 38 § 1.

SECT. 46, sentence added at end, 1943, 38 § 2.

SECTS. 46A-46E added, under the heading "MERGER AND CONSOLIDATION", 1941, 514 § 2.

SECT. 46B, paragraph contained in lines 102-108 revised, 1943, 405 § 1.

SECT. 46D, paragraph contained in lines 64-73 revised, 1943, 405 § 2.

SECT. 49 revised, 1941, 276.

SECT. 54 amended, 1932, 180 § 30.

Chapter 157. — Co-operative Corporations.

SECT. 16, last sentence amended, 1932, 180 § 31.

Chapter 159. — Common Carriers.

SECT. 12, paragraph (a) revised, 1945, 175.

SECT. 14A added, 1941, 713 (authorizing the department of public utilities to regulate rates for the transportation of persons or property within the commonwealth by common carriers by aircraft).

SECT. 15, paragraph added at end, 1937, 247; same paragraph stricken out, 1938, 155 § 2.

SECT. 16A added, 1938, 243 (relative to the discontinuance of service by railroads).

SECT. 20 amended, 1939, 18.

SECT. 21, sentence inserted after first sentence, 1946, 214.

SECT. 24, second sentence revised, 1945, 647 § 1.

SECT. 27 revised, 1945, 647 § 2.

SECT. 28 revised, 1945, 647 § 3.

SECT. 29 revised, 1945, 647 § 4.

SECT. 30 revised, 1945, 647 § 5.

SECT. 32, first sentence revised, 1945, 199.

SECT. 34A added, 1945, 577 (relative to affiliated companies of common carriers).

SECT. 59 revised, 1933, 326 § 1.

SECT. 60 amended, 1933, 326 § 2; 1941, 233.

SECT. 61 amended, 1933, 326 § 3; 1946, 437 § 1.

SECT. 62 amended, 1933, 326 § 4; 1946, 437 § 2.

SECT. 63 amended, 1946, 437 § 3.

SECT. 65 amended, 1937, 270.

SECT. 70 revised, 1934, 357 § 1.

SECT. 80 amended, 1934, 357 § 2.

SECT. 89 revised, 1936, 363 § 1.

SECT. 90 revised, 1936, 363 § 2.

SECT. 91 revised, 1936, 363 § 3.

SECT. 92 amended, 1936, 363 § 4.

SECT. 93 amended, 1936, 363 § 5.

SECT. 94 amended, 1936, 363 § 6.

SECT. 103 amended, 1933, 10; 1941, 54; 1943, 322 § 1.

Chapter 159A. — Common Carriers of Passengers by Motor Vehicle.

[Title amended, and headings, "PART I", "CARRIERS OF PASSENGERS BY MOTOR VEHICLE", inserted before section 1, 1933, 372 § 1.]

SECT. 4, first sentence stricken out and three sentences inserted, 1945, 318 § 1. (See 1945, 318 § 2.)

SECT. 10, paragraph added at end, 1945, 585.

[SECTS. 17-30 added, under headings, "PART II", "CARRIERS OF PROPERTY BY MOTOR VEHICLE", 1933, 372 § 2 (regulating carriers of property by motor vehicle).]

NOTE — 1933, 372 repealed by 1934, 264 § 5.

SECT. 11A added, 1939, 404 § 1 (placing special and chartered buses, so called, under the supervision of the department of public utilities); amended, 1941, 480. (See 1939, 404 § 2.)

Chapter 159B. — Carriers of Property by Motor Vehicle.

New chapter inserted, 1934, 264 § 1.

The following references are to chapter 159B, as inserted by 1934, 264 § 1:

SECT. 2 revised, 1936, 345 § 1.

SECT. 6 revised, 1936, 345 § 2.

SECT. 7 revised, 1936, 345 § 3; amended, 1938, 332.

SECT. 8 affected, 1935, 24.

SECT. 9 revised, 1936, 345 § 4.

SECT. 10 revised, 1936, 345 § 5; 1937, 381.

SECT. 10A added, 1936, 345 § 6 (prohibiting rebates, discrimination and evasion of regulation in the carrying of property by motor vehicle).

SECT. 13 amended, 1937, 122.

Chapter stricken out and new chapter 159B (with same title) inserted, 1938, 483 § 1. (See 1938, 483 §§ 2-5.)

The following references are to chapter 159B, as inserted by 1938, 483 § 1:

SECT. 2, definition of "Irregular route common carrier" revised, 1941, 653 § 2; definition of "Regular route common carrier" revised and paragraph defining "Regular routes" added, 1941, 653 § 3; definition of "Agricultural carrier by motor vehicle" inserted, 1941, 704 § 1; defi-

nitions of "Contract carrier by motor vehicle", "Motor carrier" and "Permit" revised, 1941, 704 § 2. (See 1941, 704 § 4.)

SECT. 3, introductory paragraph amended, 1945, 400 § 1; paragraph (b) revised, 1941, 592 § 1; paragraph (c) revised, 1945, 400 § 2; amended, 1946, 420 § 1. (See 1945, 400 § 8; 1946, 420 § 2.)

SECT. 4, second paragraph revised, 1945, 400 § 3; third paragraph revised, 1941, 592 § 2.

SECT. 7, paragraph (a) revised, 1939, 171; paragraph (b) amended, 1945, 343.

SECT. 9 amended, 1941, 483 § 1; 1946, 376 § 1.

SECT. 10, paragraph added at end, 1939, 306; amended, 1941, 483 § 2; paragraph added at end, 1945, 379; section amended, 1946, 376 § 2.

SECT. 10A added, 1939, 322 (relative to replacing lost or mutilated plates and lost or destroyed certificates, permits and licenses issued to carriers of property by motor vehicle); sentence added at end, 1945, 644 § 1.

SECT. 10B added, 1946, 376 § 3 (relative to the issuance of certain distinguishing plates to carriers of property by motor vehicle and to the use of such plates).

SECT. 11 amended, 1941, 483 § 3; second sentence of last paragraph revised, 1945, 644 § 2.

SECT. 12, first paragraph revised, 1941, 653 § 4; second sentence amended, 1945, 400 § 4.

SECT. 13 amended, 1941, 692; 1945, 400 § 5.

SECT. 14 amended, 1941, 653 § 5; 1945, 400 § 6.

SECT. 15A added, 1941, 704 § 3 (relative to agricultural carriers of property by motor vehicles). (See 1941, 704 § 4.)

SECT. 16A added, 1939, 307 (giving the department of public utilities authority to obtain certain information of persons engaged in leasing motor vehicles for the transportation of property for hire).

Chapter 160. — Railroads.

SECT. 38 revised, 1946, 226.

SECT. 68 revised, 1943, 33.

SECT. 70 amended, 1932, 238.

SECT. 70A revised, 1932, 236; amended, 1934, 264 § 3.

SECT. 85 amended, 1941, 53.

SECT. 102 amended, 1941, 496 § 1.

SECT. 104 revised, 1933, 176.

SECT. 134 amended, 1941, 273 § 1.

SECT. 138 amended, 1941, 273 § 2.

SECT. 142 amended, 1938, 29.

SECT. 144 revised, 1945, 301.

SECT. 167 amended, 1941, 273 § 3.

SECT. 185A added, 1943, 333 (providing that railroad and terminal corporations shall provide reasonable lavatory and sanitary facilities for their employees).

SECT. 198A. See 1936, 267.

SECT. 198B added, 1936, 267 (prohibiting the scalping, so called, of tickets issued by railroad corporations).

SECT. 235 amended, 1941, 490 § 38.

SECT. 245 amended, 1941, 273 § 4, 496 § 2.

Chapter 161. — Street Railways.

Name of Metropolitan Transit District changed to Boston Metropolitan District, and authority to issue notes and bonds defined, 1932, 147.

Temporary act, extending to January 15, 1939, the period of public control and management of the Eastern Massachusetts Street Railway Company, 1933, 108; further extension of five years, 1938, 173; further extension of five years, 1943, 98.

Temporary acts relative to the purchase of bonds of the Boston Elevated Railway Company by the Boston Metropolitan District, 1933, 235; 1934, 334; 1935, 451; 1936, 308; 1937, 357; 1941, 567.

SECT. 20A amended, 1939, 28.

SECT. 35 amended, 1943, 342.

SECT. 42, third sentence amended, 1934, 328 § 20.

SECT. 44 amended, 1934, 264 § 4.

SECT. 77 revised, 1934, 310 § 1.

SECT. 86 revised, 1934, 310 § 2.

SECT. 91A added, 1935, 101 (relative to the number of guards on passenger trains operated by street railway companies).

SECT. 107, first paragraph amended, 1946, 253.

Chapter 163. — Trackless Trolley Companies.

SECT. 12 added, 1932, 185 (requiring trackless trolley companies to furnish security for civil liability on account of personal injuries or property damage caused by their vehicles).

SECT. 13 added, 1943, 141 (providing a penalty for the improper operation of trackless trolley vehicles, so called).

Chapter 164. — Manufacture and Sale of Gas and Electricity.

For legislation authorizing compacts relative to the interstate transmission of electricity and gas, see 1933, 294.

SECT. 4 amended, 1938, 44.

SECT. 14 amended, 1935, 222.

SECT. 17A added, 1932, 132 (regulating the lending of money by gas and electric companies).

SECT. 31 amended, 1939, 301 § 2.

SECT. 33 amended, 1932, 180 § 32.

SECT. 34 amended, 1937, 235 § 1. (See 1937, 235 § 2.)

SECT. 76A added, 1935, 335 § 1 (giving to the department of public utilities supervision over certain affiliates of gas and electric companies).

SECT. 84A added, 1934, 202 § 1 (requiring gas and electric companies to make additional annual returns).

SECT. 85, second paragraph amended, 1935, 335 § 2.

SECT. 85A added, 1933, 202 § 1 (requiring the filing with the department of public utilities of certain contracts of gas and electric companies with affiliated companies).

SECT. 94, paragraph in lines 29-37 amended, 1939, 178 § 1. (See 1939, 178 § 2.)

SECT. 94A amended, 1941, 400 § 1.

SECT. 94B amended, 1941, 400 § 2.

SECT. 94C added, 1935, 227 (relative to payments, charges, contracts, purchases, sales or obligations or other arrangement between gas or electric companies and affiliated companies, and the burden of proving the reasonableness thereof).

SECT. 94D added, 1936, 243 (prohibiting gas and electric companies from collecting penalty charges for delinquency in the payment of bills for gas or electricity used for domestic purposes).

SECT. 94E added, 1941, 400 § 3 (relative to notice of the termination of certain contracts of gas and electric companies).

SECT. 96 revised, 1939, 229 § 1.

SECT. 97 amended, 1943, 55.

SECT. 102 revised, 1939, 229 § 2.

SECT. 105A added, 1932, 119 (regulating the storage, transportation and distribution of gas).

SECT. 115A added, 1936, 259 § 1 (requiring the periodic replacement of meters for measuring gas); amended, 1937, 40 § 1. (See 1936, 259 §§ 2, 3; 1937, 40 §§ 2, 3.)

SECT. 119 revised, 1934, 365.

SECT. 119A added, 1936, 76 § 1 (requiring bills for gas or electricity used for domestic purposes to be itemized); revised, 1939, 145 § 1. (See 1936, 76 § 2; 1939, 145 § 2.)

SECT. 124 amended, 1935, 237, 376 § 2.

SECT. 124A added, 1935, 376 § 1 (relative to the shutting off of gas or electric service in homes where there is serious illness).

Chapter 165. — Water and Aqueduct Companies.

SECT. 4A added, 1933, 202 § 2 (requiring the filing with the department of public utilities of certain contracts of water companies with affiliated companies).

SECT. 19 repealed, 1941, 275 § 1.

SECT. 28 added, under caption "GENERAL PROVISIONS", 1941, 275 § 2 (further regulating the acquisition and holding of real estate by water and aqueduct companies).

Chapter 166. — Telephone and Telegraph Companies, and Lines for the Transmission of Electricity.

SECT. 12A added, 1934, 202 § 2 (requiring telephone and telegraph companies to make additional annual returns).

SECT. 15A added, 1935, 242 (regulating charges by telephone companies for the use of hand sets, so called).

SECT. 15B added, 1939, 162 (authorizing the sale and transfer of property and the transfer of locations by domestic telephone and telegraph companies to domestic or foreign telephone and telegraph companies and validating certain locations so transferred).

SECT. 21 amended, 1939, 161.

SECT. 22, second paragraph amended, 1932, 36.

SECT. 22A added, 1932, 266 (relative to the placing underground of certain wires); revised, 1933, 251.

Chapter 167. — Banks and Banking.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2-4; 1938, 125 §§ 1, 2; 1939, 149 §§ 2, 3; 1941, 78 § 2.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155; 1938, 244 §§ 2-5; 1939, 227 §§ 2-5.

For temporary act providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States defense savings bonds and defense postal savings stamps, see 1941, 221, 575.

For temporary legislation authorizing banking institutions to make loans to veterans of World War II guaranteed or insured by the administrator of veterans' affairs, see 1945, 46; 1946, 126.

SECT. 1 amended, 1935, 452 § 1.

SECT. 2 revised, 1934, 251; first paragraph amended, 1935, 452 § 2.

SECT. 2A added, 1933, 310 (improving the method of examination of banks).

SECT. 4 amended, 1934, 270 § 1.

SECT. 5 revised, 1933, 337.

SECT. 6 revised, 1945, 164.

SECT. 9 revised, 1939, 499 § 8; 1945, 292 § 11.

SECT. 11 revised, 1934, 270 § 2.

SECT. 11A added, 1938, 266 § 1 (placing all corporations conducted on the Morris plan under the supervision of the commissioner of banks and further regulating the business of banking companies).

SECT. 12 revised, 1935, 452 § 3.

SECT. 14 revised, 1933, 334 § 1.

SECT. 17 repealed, 1933, 334 § 2.

SECT. 18 amended, 1943, 110 § 1.

SECT. 20 amended, 1933, 190; 1943, 22.

SECT. 20A added, 1933, 292 (permitting certain public officers to participate in certain bank reorganizations).

SECTS. 22-36. See 1934, 43 § 11.

SECT. 22, second paragraph amended, 1943, 121. (See 1933, 59 § 5, 112 § 9.)

SECT. 23. See 1933, 112 § 6.

SECT. 24 amended, 1932, 294; 1933, 41 § 4.

SECT. 31A added, 1933, 277 (authorizing payment of dividends on small deposits in closed banks to certain minors and to the next of kin of certain deceased persons without probate proceedings); revised, 1937, 170.

SECT. 35. See 1936, 428.

SECT. 35A added, 1933, 302 (authorizing the destruction of certain books, records and papers relating to closed banks).

SECT. 35B added, 1934, 241 (providing for semi-annual reports by the commissioner of banks as to progress of liquidation of certain banks).

SECT. 36 amended, 1939, 451 § 58.

SECT. 46 amended, 1943, 110 § 2.

SECT. 47 amended, 1943, 110 § 3.

SECT. 48 added, 1939, 244 § 6 (relative to payments of moneys on deposit in the name of a minor).

SECT. 49 added, 1941, 444 (relative to adverse claims to certain bank deposits and to certain securities held by banks for the account of others).

SECT. 50 added (making permanent the law authorizing certain banking institutions to take certain first mortgages on real estate), 1945, 37 § 1. (See 1945, 37 § 2.) For prior temporary legislation see 1936, 191; 405 § 2; 1939, 98; 1941, 40.

SECT. 51 added (making permanent the law relative to the making by certain banking institutions of loans insured by the federal housing administrator), 1945, 66 § 1. (See 1943, 339; 1945, 66 § 2.) For prior temporary legislation see 1935, 162; 1937, 240; 1939, 241; 1941, 260; 1943, 126.

SECT. 52 added, 1946, 284 (permitting banks to close on Saturdays during June, July, August and September).

Chapter 168. — Savings Banks.

For temporary act, establishing the Mutual Savings Central Fund, Inc., for the term of five years, see 1932, 44; term extended to ten years, 1936, 149 § 1; term extended to twenty-five years, 1939, 149 § 1; act amended, 1941, 78 § 1.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2-4; 1938, 125 §§ 1, 2; 1939, 149 §§ 2, 3; 1941, 78 § 2.

For temporary act modifying the requirements for making certain railroad bonds legal investments for savings banks, institutions for savings and trust companies in their savings departments, see 1939, 87; 1941, 115; temporary act repealed, 1941, 413 § 11.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

For an act creating the Savings Bank Investment Fund as an additional means of investment for savings banks, see 1945, 283 §§ 1-11.

SECT. 1, two paragraphs (defining "deposit book [etc.]" and "savings bank") added at end, 1933, 334 § 3.

SECT. 2 revised, 1933, 334 § 4.

SECT. 2A added, 1933, 46 § 1 (authorizing savings banks to become members of the Federal Home Loan Bank established for the district of New England).

SECT. 5. See 1936, 143 § 2.

SECT. 11 amended, 1933, 334 § 5.

SECT. 13 amended, 1933, 334 § 6; 1946, 34. (See 1933, 41 § 1.)

SECT. 15 amended, 1946, 32.

SECT. 17 revised, 1933, 334 § 7.

SECT. 25 revised, 1933, 334 § 8.

SECT. 25A added, 1933, 334 § 8 (authorizing the collection of savings from school children through principals, teachers, etc.).

SECT. 26 revised, 1933, 334 § 9; 1943, 21 § 1.

SECT. 27 amended, 1933, 334 § 10.

SECT. 28 revised, 1933, 334 § 11. (See 1943, 30.)

SECT. 29 amended, 1933, 334 § 12; 1945, 111.

SECT. 31 amended, 1945, 97.

SECT. 33A revised, 1933, 334 § 13.

SECT. 33B added, 1941, 103 (relative to the sale of checks by savings banks).

SECT. 34 revised, 1933, 334 § 14.

SECT. 35 revised, 1933, 334 § 15.

SECT. 42 revised, 1945, 365.

SECT. 44 amended, 1941, 186.

SECT. 45 amended, 1933, 334 § 16.

SECT. 47 revised, 1933, 334 § 17.

SECT. 49 amended, 1933, 334 § 18; 1941, 105.

SECT. 50 revised, 1933, 334 § 19.

SECT. 51 revised, 1932, 245 § 1.

SECT. 51A revised, 1933, 334 § 20; amended, 1943, 27 § 1.

SECT. 53 revised, 1933, 334 § 21.

SECT. 54, clause First, first two paragraphs revised, 1933, 334 § 22; same clause revised, 1937, 180; first paragraph revised, 1946, 256 § 1; subdivision (a) revised, 1946, 256 § 2; subdivision (d) revised, 1943, 94 § 1; 1946, 256 § 3; subdivision (e) revised, 1943, 94 § 2; 1945, 184 § 1; 1946, 256 § 4; subdivision ($e\frac{1}{2}$) inserted, 1945, 184 § 2; revised, 1946, 256 § 5; subdivision (f) amended, 1945, 184 § 3; clause Second, subdivisions (a), (e) and (f) revised, 1933, 334 § 23; subdivision (h) added, 1933, 334 § 24 (forbidding investment of funds in bonds or notes of county, etc., in default, and defining term "in default"); subdivisions (a), (b), (c) and (d) affected, 1939, 112 § 2; clause Second revised, 1941, 413 § 1; subdivisions (h), (i), (j) stricken out and subdivisions (h) and (i) added, 1943, 215 § 1 (see 1943, 215 § 12); clause Third affected, 1933, 111; 1934, 79; 1935, 72 §§ 1, 2; 1936, 84; 1937, 56; 1939, 87; 1941, 115, 413 § 11; subdivision (p) of clause Third revised, 1936, 79; clause Third revised, 1941, 413 § 2; subdivision (3) revised, 1943, 215 § 2; subdivision (4) amended, 1945, 377 § 1; first paragraph of subdivision (6) amended, 1943, 215 § 5; paragraph (d) of the definitions at the end of clause Third revised, 1943, 215 § 3; clause Third A added, 1943, 215 § 4 (relative to the investments of deposits and the income derived therefrom of savings banks in obligations of certain reorganized railroad corporations); first paragraph of subdivision (5) amended, 1945, 377 § 2; clause Fourth amended, 1932, 112; stricken out, 1941, 413 § 3; clause Fifth revised, 1941, 413 § 4; clauses Fifth A-Fifth D added, 1941, 413 § 5; clause Sixth A, first paragraph amended, 1937, 96; clause Sixth A revised, 1941, 413 § 6; 1945, 377 § 3; clause Seventh, first paragraph amended, 1937, 87; second paragraph revised, 1932, 220; clause Seventh revised, 1941, 413 § 7; 1943, 215 § 6; clause Seventh A added, 1945, 283 § 12 (authorizing the investment of deposits of savings banks in shares of the Savings Bank Investment Fund); clause Ninth, first paragraph amended, 1945, 197 § 1; 1945, 407 § 1; subdivision (a) revised, 1945, 197 § 2 (see 1945, 407 § 2); amended, 1946, 68; subdivision (c) (2) stricken out, 1933, 334 § 25; subdivision (d) stricken out, 1941, 413 § 8; subdivision (e) (2) revised, 1933, 334 § 26; amended, 1943, 110 § 4; revised, 1943, 215 § 7; subdivision (e) (3) revised, 1933, 334 § 26; 1943, 215 § 8;

subdivision (e) (4) stricken out, 1943, 110 § 5; subdivision (e) (5) revised, 1933, 334 § 26; amended, 1943, 110 § 6; subdivision (e) (6) amended, 1939, 244 § 5; 1941, 234; clause Tenth A added, 1941, 106; amended, 1945, 162; clause Eleventh revised, 1946, 122; clause Twelfth amended, 1937, 274 § 2; revised, 1943, 215 § 9; clause Thirteenth A added, 1941, 107; clause Fifteenth revised, 1941, 413 § 9; subdivision (a) revised, 1943, 215 § 10; subdivision (c) revised, 1945, 377 § 4; subdivision (d) revised, 1945, 114; clause Sixteenth affected, 1933, 111; 1934, 79; 1935, 72 §§ 1, 2; 1936, 84; 1937, 56; 1939, 87; 1941, 115, 413 § 11; clause Sixteenth stricken out, 1941, 413 § 10; clause Seventeenth revised, 1943, 215 § 11. (See 1943, 215 § 12.)

SECT. 55, paragraph added at end, 1933, 334 § 27 (authorizing the continuing of the offices of a merged savings bank as branch offices of the continuing bank).

SECT. 56 added, 1933, 41 § 1 (authorizing savings banks to purchase, loan upon or participate in loans upon the assets of certain closed and other banks).

SECT. 57 added, 1933, 334 § 28 (authorizing savings banks to become members of savings bank associations); revised, 1945, 61 § 1.

SECTS. 58-60 added, 1943, 249 (providing for the establishment of a contributory savings bank employees retirement association).

SECT. 58, third paragraph amended, 1945, 104 § 1; last paragraph revised, 1946, 240.

SECT. 60 amended, 1945, 104 § 2.

Chapter 170. — Co-operative Banks.

For temporary act, establishing the Co-operative Central Bank for the term of five years, see 1932, 45; term extended to ten years, 1935, 82; amount which a member bank may borrow without collateral further regulated, 1935, 136; 1941, 86; term further extended to twenty-five years, 1938, 244 § 1; refunds to member banks regulated, 1939, 227 § 1; act further amended, 1943, 219.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155; 1938, 244 §§ 2-5; 1939, 227 §§ 2-5; 1945, 116.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

The following references are to chapter 170, as appearing in the Tercenary Edition:

SECT. 16 revised, 1932, 292 § 1.

SECT. 19 amended, 1932, 292 § 2.

SECT. 20A added, 1932, 292 § 3 (authorizing payment to spouse or next of kin without administration in case value of shares does not exceed two hundred dollars).

SECT. 36A added, 1932, 292 § 4 (authorizing and regulating borrowings to meet withdrawals and to loan against shares).

SECT. 40, paragraph added at end, 1932, 233 § 1.

SECT. 41 amended, 1932, 233 § 2.

SECT. 42 amended, 1932, 233 § 3.

SECT. 45A added, 1933, 46 § 2 (authorizing co-operative banks to

become members of the Federal Home Loan Bank established for the district of New England).

SECT. 50 added, 1932, 201 (authorizing co-operative banks to become members of certain leagues).

Chapter stricken out and new chapter inserted, 1933, 144.

The following references are to the new chapter 170:

SECT. 6, subsection (*h*) amended, 1946, 154 § 6.

SECT. 7 amended, 1938, 162 § 1; first sentence amended, 1946, 64.

SECT. 12 amended, 1936, 196 § 1; 1938, 159; 1941, 73; five sentences added at end, 1945, 177 § 1.

SECT. 16, second paragraph revised, 1936, 196 § 2; 1938, 244 § 7.

SECT. 17A added, 1941, 116 (providing for the temporary suspension of payments on certain shares of co-operative banks owned by persons engaged in the military or naval service of the United States, or by their dependents); revised, 1943, 142.

SECT. 23 revised, 1941, 76.

SECT. 25, sentence added at end, 1935, 174.

SECT. 27, sentence inserted after first sentence, 1945, 176 § 1.

SECT. 31 revised, 1946, 154 § 3.

SECT. 32A added, under heading "OTHER AUTHORIZED PAYMENTS", 1938, 197 (permitting acceptance of certain payments by co-operative banks).

SECT. 33 amended, 1935, 190; first sentence amended, 1945, 172.

SECT. 34 amended, 1934, 203 § 1.

SECT. 35, last paragraph stricken out, 1934, 203 § 2.

SECT. 35A added, 1945, 191 (providing for converting co-operative form mortgages to direct reduction form mortgages by agreement in co-operative banks).

SECTS. 36A-36D added under caption "DIRECT-REDUCTION LOANS" (changing and making permanent the law authorizing co-operative banks to make direct-reduction loans on real estate and providing for the suspension of payments thereon by persons in the military or naval service and others), 1941, 293 § 1. [For prior temporary legislation (repealed by 1941, 293 § 2) see 1935, 191; 1936, 203; 1937, 233; 1938, 199.]

SECT. 36A, first paragraph amended, 1945, 177 § 2; second paragraph revised, 1946, 154 § 1; last paragraph amended, 1945, 115; revised, 1946, 255; paragraph added at end, 1945, 176 § 2.

SECT. 36B, sentence added at end, 1945, 173.

SECT. 36D, paragraph added at end, 1946, 154 § 2.

SECT. 36E added, 1945, 174 (authorizing additional loans for the benefit of certain real estate mortgaged to co-operative banks).

SECT. 39 amended, 1941, 77; revised, 1946, 123.

SECT. 39A added, 1945, 171 (relative to the purchase by co-operative banks from federal agencies of certain loans made by such agencies).

SECT. 40 revised, 1941, 75.

SECT. 43A added, 1943, 77 (authorizing the sale of checks by co-operative banks); revised, 1946, 154 § 4.

SECT. 44, second paragraph revised, 1936, 159.

SECT. 46 revised, 1943, 81.

SECT. 47 revised, 1935, 75; 1936, 133.

SECT. 50, first paragraph amended, 1935, 54; 1937, 174.

SECT. 50A added, under caption "CONVERSION", 1935, 215 (estab-

lishing the procedure to be followed by a co-operative bank in converting into a federal savings and loan association); first paragraph amended, 1938, 162 § 2; 1943, 235 § 1; second and third paragraphs revised, 1938, 244 § 6. (See 1943, 235 § 2; 1945, 193; 1946, 111.)

SECT. 54 revised, 1943, 191.

SECT. 55 revised, 1945, 61 § 2.

SECT. 56 revised, 1946, 154 § 5.

SECTS. 59-61 added 1945, 190 (providing for the establishment of a contributory co-operative banks employees retirement association).

SECT. 59, last paragraph revised, 1946, 239.

Chapter 171. — Credit Unions.

For temporary act, establishing the Central Credit Union Fund, Inc., for the term of five years, see 1932, 216; amended, 1934, 221; 1939, 112 § 2. Term extended to ten years, 1936, 70. Term extended to twenty years, 1941, 177.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

SECT. 3, second paragraph revised, 1936, 323.

SECT. 5 amended, 1939, 112 § 1.

SECT. 6A added, 1946, 184 (to authorize deductions from wages of employees of districts and municipalities for making certain payments to credit unions of such employees).

SECT. 8 revised, 1946, 49 § 1.

SECT. 9 revised, 1946, 49 § 2.

SECT. 10, two sentences inserted after fifth sentence, 1945, 81.

SECT. 15, last sentence stricken out, and paragraph added at end, 1933, 163 § 1; new paragraph added, 1935, 272; paragraph added by 1935, 272 revised, 1936, 329.

SECT. 17. See 1943, 30.

SECT. 19A added, 1938, 239 (relative to the liability of certain endorsers upon notes held by credit unions and authorizing the establishment of contingent funds by credit unions); revised, 1941, 79.

SECT. 20A added, 1936, 119 (relative to the impairment of the capital of credit unions).

SECT. 21 amended, 1933, 163 § 2; 1937, 228; revised, 1943, 118; sentence added at end, 1946, 76.

SECT. 24, paragraph added at end of subdivision (A), 1933, 163 § 3; first four paragraphs and subdivision (A) revised, 1941, 102; paragraph 5 of subdivision (A) amended, 1946, 47; subdivision (B) revised, 1945, 82.

SECT. 29, first paragraph revised, 1936, 139.

SECT. 30 added, 1946, 90 (relative to the consolidation of credit unions and the conversion of foreign credit unions).

Chapter 172. — Trust Companies.

For temporary act providing for the liquidation of certain trust companies, see 1939, 515; 1941, 143; 1943, 122.

SECT. 1 revised, 1934, 349 § 1.

SECT. 7, clause Fourth revised, 1934, 349 § 2.

SECT. 9, fifth sentence amended, 1934, 349 § 3.

SECT. 10, first paragraph amended, 1934, 349 § 4.

SECT. 11 revised, 1934, 349 § 5.

SECT. 12 revised, 1934, 349 § 6.

SECT. 13 revised, 1934, 349 § 7.

SECT. 14 revised, 1934, 349 § 8; 1935, 40; amended, 1936, 143 § 1.

SECT. 14A added, 1934, 349 § 9 (relative to the submission of a monthly report by the treasurer of a trust company to its board of directors); subparagraph 3 stricken out and subparagraphs 3 and 3A inserted, 1939, 244 § 1.

SECT. 15 revised, 1934, 349 § 10.

SECT. 16, paragraph added at end, 1934, 349 § 11.

SECT. 18 revised, 1934, 349 § 12; amended, 1935, 18; second paragraph revised, 1943, 110 § 8.

SECT. 19 amended, 1934, 349 § 13.

SECT. 19A added, 1943, 237 (providing for notice to the commissioner of banks of certain transfers of stock of trust companies).

SECT. 24 revised, 1934, 349 § 14; two paragraphs added at end, 1937, 248.

SECT. 25 amended, 1934, 349 § 15.

SECT. 26 amended, 1934, 349 § 16; revised, 1943, 21 § 2.

SECT. 27, three sentences added at end, 1946, 66.

SECT. 30A, sentence added at end, 1934, 349 § 17.

SECT. 31 revised, 1934, 349 § 18; last sentence amended, 1939, 124.

SECT. 33 revised, 1941, 484 § 1. (See 1941, 484 §§ 4, 5.)

SECT. 34 revised, 1934, 349 § 19; 1939, 244 § 2.

SECT. 40 revised, 1941, 484 § 2; amended, 1945, 88. (See 1941, 484 §§ 4, 5.)

SECT. 40A added, 1943, 261 (clarifying the limits on the total liabilities of any one borrower to a trust company in its commercial and savings departments).

SECT. 43 revised, 1934, 349 § 20; 1941, 484 § 3. (See 1941, 484 §§ 4, 5.)

SECT. 44 revised, 1939, 187; amended, 1946, 87 § 1.

SECT. 44A added, 1933, 41 § 2 (authorizing trust companies to purchase, loan upon or participate in loans upon the assets of certain closed and other banks).

SECT. 45 revised, 1934, 349 § 21; amended, 1939, 244 § 3; revised, 1946, 87 § 2. (See 1943, 192; 1946, 87 § 4.)

SECT. 46 revised, 1934, 349, § 22; amended, 1939, 244 § 4; 1946, 87 § 3. (See 1943, 192; 1946, 87 § 4.)

SECT. 48 revised, 1934, 349 § 23; paragraph (c) added at end, 1937, 276.

SECT. 54 amended, 1934, 349 § 24; 1935, 172 § 1.

SECT. 54A added, 1935, 172 § 2 (authorizing trust companies under certain conditions to deposit in their commercial departments certain funds held in their trust departments).

SECT. 57 revised, 1934, 349 § 25.

SECT. 60 amended, 1934, 349 § 26.

SECT. 61 amended, 1933, 41 § 3.

SECT. 62 amended, 1934, 349 § 27; revised, 1941, 104.

SECT. 66 revised, 1932, 245 § 2.

SECT. 66A revised, 1943, 27 § 2.

SECT. 67, paragraph added at end, 1933, 334 § 29 (regulating the declaration and payment of interest on deposits in savings departments of trust companies).

SECT. 69 amended, 1943, 110 § 7.

SECT. 70. See 1943, 30.

SECT. 74 amended, 1934, 349 § 28.

SECT. 75 revised, 1934, 349 § 29; last sentence revised, 1943, 193; 1945, 53 § 1.

SECT. 76 amended, 1934, 349 § 30.

SECT. 80 revised, 1934, 349 § 31 (but see 1934, 349 § 32); next to last sentence revised, 1945, 53 § 2.

SECT. 82 added, under caption "SET-OFF OR RECOUPMENT OF DEPOSITS", 1932, 295 § 1. (See 1932, 295 § 2.)

SECTS. 83-89 added, under caption "CONSERVATORSHIP", 1933, 87 § 1.

SECTS. 83, 88. See 1933, 112 §§ 6, 9.

SECT. 90 added, 1933, 273 (relative to the enforcement of conservatorship proceedings in respect to trust companies).

Chapter 172A. — Banking Companies.

New chapter inserted, 1935, 452, § 4.

For temporary act to enable certain banking institutions to co-operate in the distribution of United States Defense Savings Bonds and Defense Postal Savings Stamps, see 1941, 221, 575.

SECT. 1 revised, 1938, 266 § 2; amended, 1941, 391 § 1. (See 1941, 391 §§ 2, 3.)

SECT. 1A added, 1938, 266 § 3 (authorizing certain existing corporations to vote to carry on the business of a banking company on certain conditions).

SECT. 2 amended, 1938, 266 § 4.

SECT. 3 revised, 1938, 266 § 5.

SECT. 4 amended, 1938, 266 § 6.

SECT. 5, first paragraph revised, 1938, 266 § 7.

SECT. 6 revised, 1938, 266 § 9.

SECT. 6A added, 1946, 115 § 1 (authorizing certain banking companies to receive deposits subject to withdrawal by check).

SECT. 7, preliminary sentence revised, 1946, 115 § 2; clause First, last sentence stricken out, 1945, 192 § 1; clause Second revised, 1943, 208; clause Fourth added, 1945, 192 § 2.

SECT. 7A added, 1938, 266 § 8 (relative to the carrying and disposition by certain existing corporations of certain assets not authorized as investments after they become subject to this chapter).

SECT. 10, first sentence amended, 1946, 115 § 3.

SECT. 15 added, 1941, 438 (authorizing banking companies to sell certain negotiable checks).

Chapter 175. — Insurance.

For legislation authorizing domestic insurance companies to invest in real estate mortgages insured under the National Housing Act, see 1939, 359. (See also 1943, 339.) [For other legislation, see 1935, 162; 1937, 240; 1939, 241; 1941, 260; 1943, 126; 1946, 125.]

For temporary act, modifying the requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2; extended, 1939, 98; 1941, 40.

For temporary legislation authorizing insurance companies to make loans to veterans of World War II guaranteed or insured by the administrator of veterans' affairs, see 1945, 46; 1946, 126.

SECT. 1, paragraph added (after definition of "Foreign company") defining "Industrial life insurance policy" or "policy of industrial life insurance", 1943, 227 § 11; paragraph added after word "law" in the fifty-second line, 1938, 306 (defining "resident" with respect to the incorporators, officers and directors of insurance companies). (See 1943, 227 §§ 13, 14.)

SECT. 4, first paragraph revised, 1938, 357 § 1; fourth paragraph amended, 1939, 472 § 4; revised, 1941, 324.

SECT. 5 amended, 1933, 107 § 2.

SECT. 6, first paragraph amended, 1933, 107 § 3; section amended, 1939, 472 § 1; first paragraph amended, 1939, 488 § 2. (See 1939, 488 § 9.)

SECT. 9, clause Second revised, 1941, 326 § 1; clause Fourth revised, 1941, 326 § 2; section revised, 1943, 227 § 1. (See 1943, 227 §§ 13, 14.)

SECT. 11, first paragraph amended, 1934, 92 § 1; revised, 1943, 207 § 3; 1945, 605 § 2; third paragraph amended, 1933, 5. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 12 amended, 1943, 183 § 1. (See 1943, 183 § 2.)

SECT. 12A added, 1943, 183 § 2 (relating to the computation of reserves required of certain domestic liability insurance companies with respect to certain policies of liability insurance).

SECT. 14 amended, 1939, 395 § 2; revised, 1941, 635 § 3, 693; paragraph inserted after paragraph contained in line 14, 1943, 54 § 1; revised, 1945, 593 § 1; paragraph contained in lines 22-26 revised, 1943, 288; seventeenth paragraph revised, 1943, 54 § 2, 227 § 2. (See 1945, 593 § 2.)

SECT. 16, second paragraph amended, 1939, 395 § 3.

SECT. 19A amended, 1934, 137 § 2; revised, 1941, 364 § 1.

SECT. 19B added, 1939, 375 (authorizing domestic insurance companies to merge or consolidate with foreign insurance companies in certain cases); revised, 1941, 364 § 2.

SECT. 19C added, 1941, 364 § 3 (relative to rights of stockholders of merging or consolidating corporations).

SECT. 20, first sentence of second paragraph amended, 1946, 508; new paragraph inserted after fifth paragraph, 1941, 343.

SECT. 22A revised, 1935, 234; first paragraph amended, 1946, 158; last paragraph amended, 1938, 181.

SECT. 24, sentence added at end of first paragraph, 1946, 244.

SECT. 25, second paragraph revised, 1945, 159; last paragraph of Form A stricken out, 1934, 12; last paragraph of section amended, 1934, 92 § 2.

SECT. 29 revised, 1939, 167.

SECT. 32 revised, 1938, 357 § 2: amended, 1941, 342 § 1.

SECT. 33 revised, 1946, 186.

SECT. 36, second paragraph revised, 1935, 140; 1936, 61; two paragraphs added at end, 1938, 218 § 1.

SECT. 47, clause First revised, 1938, 176; clause Fourth revised, 1938,

307; clause Sixth amended, 1941, 243; 1945, 436; clause Seventh amended, 1937, 261; clause Twelfth revised, 1935, 204; clause Seventeenth added, 1946, 471 § 1.

SECT. 48, first paragraph revised, 1946, 471 § 2; lines 22 and 23 stricken out and new paragraph inserted, 1946, 471 § 3.

SECT. 48A revised, 1946, 471 § 4.

SECT. 49, paragraph inserted after second paragraph, 1939, 15 § 2; paragraph contained in the twenty-second to the twenty-eighth lines revised, 1941, 342 § 2; last paragraph stricken out, 1941, 342 § 3.

SECT. 50, first sentence revised, 1945, 609 § 1; third sentence amended, 1932, 180 § 33.

SECT. 51, clause (a) revised, 1946, 471 § 5.

SECT. 54, clause (a½) added, 1946, 471 § 6; clause (e) revised, 1939, 488 § 3. (See 1939, 488 § 9.)

SECT. 54A added, 1932, 165 (permitting certain insurance companies to make outside the commonwealth contracts insuring personal property against all risks or hazards); amended, 1938, 198.

SECTS. 54B-54D added, 1945, 384 § 2 (authorizing multiple line underwriting, so-called, by certain domestic and foreign stock and mutual insurance companies). (See 1945, 384 § 3.)

SECT. 54B revised, 1946, 285.

SECT. 63, paragraph 7 revised, 1945, 188; sentence added at end, 1946, 438 § 2.

SECT. 64, second paragraph amended, 1936, 213; third paragraph revised, 1943, 207 § 2; paragraph added at end, 1941, 548. (See 1943, 207 § 4.)

SECT. 65 amended, 1946, 125.

SECT. 66A added, 1943, 207 § 1 (relative to the construction, operation and maintenance of low rental housing projects by domestic life insurance companies); revised, 1945, 605 § 1. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 72 amended, 1936, 212.

SECT. 73, first paragraph revised, 1939, 300 § 1.

SECT. 77 amended, 1941, 365 § 1. (See 1941, 365 § 2.)

SECT. 79 revised, 1933, 23 § 1.

SECT. 80, paragraph inserted after the word "classified" in the twenty-third line, 1936, 315.

SECT. 83, paragraph added at end, 1941, 716 § 5. (See 1941, 723.)

SECT. 85A added, 1941, 716 § 1 (providing that the commissioner of insurance may authorize certain domestic mutual insurance companies to issue non-assessable policies); sentence added at end, 1943, 247 § 1. (See 1941, 723; 1943, 247 § 4.)

SECT. 87 repealed, 1934, 22.

SECT. 90, first paragraph amended, 1941, 716 § 2; 1945, 403 § 2. (See 1941, 723.)

SECT. 90A amended, 1939, 300 § 2.

SECT. 90B revised, 1933, 23 § 2; 1945, 726.

SECT. 93, first paragraph revised, 1939, 488 § 1; 1941, 654 § 1. (See 1939, 488 § 9.)

SECT. 93B revised, 1939, 488 § 4. (See 1939, 488 § 9.)

SECT. 93C revised, 1939, 488 § 5. (See 1939, 488 § 9.)

SECT. 93D revised, 1939, 488 § 6. (See 1939, 488 § 9.)

SECT. 93F added, 1941, 716 § 3 (permitting certain domestic mutual insurance companies to issue non-assessable policies); sentence added at end, 1943, 247 § 2. (See 1941, 723; 1943, 247 § 4.)

SECT. 94, first two paragraphs stricken out, and two new paragraphs inserted, 1933, 81; first paragraph amended, 1938, 218 § 2; 1943, 532 § 2; revised, 1945, 313 § 2. (See 1945, 313 § 5.)

SECT. 96A added, 1946, 471 § 7 (providing that insurance against expenses actually incurred in repairing or replacing property damaged or destroyed by fire or other causes shall not be subject to certain limitations as to value).

SECT. 97 amended, 1933, 31; two sentences added at end, 1945, 399 § 1. (See 1945, 399 § 2.)

SECT. 99, clause Ninth revised, 1934, 95; paragraph of the standard form appearing in lines 14-23 revised, 1943, 462.

SECT. 102 amended, 1932, 174 § 1; revised, 1934, 110 § 1. (See 1932, 174 § 2; 1934, 110 § 2.)

SECT. 106 revised, 1932, 150 § 1; amended, 1939, 400 § 1. (See 1932, 150 § 4.)

SECT. 108, paragraph added at end, 1945, 341.

SECT. 110, sentence added at end, 1939, 133; section amended, 1941, 118; revised, 1943, 424 § 3, 532 § 1; subdivision (1) of second paragraph amended, 1945, 403 § 1.

SECT. 110A added, 1938, 401 (relative to exemption of the benefits of disability insurance from attachment and execution).

SECT. 110B added, 1939, 209 (relative to the termination or lapsing of certain accident and health policies for non-payment of premiums).

SECT. 111C added, 1943, 375 § 1 (providing for the inclusion of accident benefits in certain liability insurance policies).

SECT. 113A, provision (2) amended, 1933, 119 § 1; revised, 1933, 145 § 1; provision (2A) added, 1933, 145 § 2; amended, 1935, 296 § 1; provision (6) revised, 1936, 272. (See 1933, 145 § 3; 1935, 296 § 2.)

SECT. 113B, paragraph inserted after first paragraph, 1935, 459 § 4. (See 1935, 459 § 5.)

SECT. 113D, first paragraph revised, 1933, 119 § 2; fourth paragraph revised, 1933, 146 § 1; sixth paragraph revised, 1933, 146 § 2; amended, 1934, 46; first sentence of sixth paragraph amended, 1938, 311; paragraph added at end, 1933, 119 § 3; paragraph added at end, 1934, 379. (See 1933, 119 § 6, 146 § 3.)

SECT. 113E added, 1934, 61 (prohibiting certain discrimination in the issuance or execution of motor vehicle liability policies or bonds); amended, 1941, 401.

SECT. 113F added, 1937, 390 (relative to the renewal of motor vehicle liability policies or bonds, so called, in certain cases); first paragraph amended, 1938, 351.

SECT. 113G added, 1939, 406 § 1 (relative to the relations of officers, directors and employees of certain domestic insurance companies with certain insurance agencies and finance companies). (See 1939, 406 § 2.)

SECT. 114 amended, 1932, 180 § 34; 1939, 225.

SECT. 116A amended, 1932, 180 § 35.

SECT. 117A, first paragraph amended, 1938, 216 § 1; heading before section 117A stricken out and "MARINE AND AUTOMOBILE AND SPRINKLER LEAKAGE INSURANCE" inserted, 1938, 216 § 2.

SECT. 123 revised, 1943, 186.

SECT. 125. See 1933, 42.

SECT. 126 amended, 1943, 227 § 5. (See 1933, 42 §§ 13, 14; 1943, 227.)

SECT. 132, first paragraph revised, 1933, 101 § 1; first paragraph amended, 1943, 227 § 6; provisions numbered 6, 7, 8, 9, revised, 1943, 227 § 7; four paragraphs added at end of section, 1943, 227 § 6. (See 1943, 227 §§ 13, 14.)

SECTS. 132A-132E added, 1945, 313 § 1 (relative to group annuity contracts). (See 1945, 313 § 5.)

SECT. 133, clause (a) amended, 1946, 346; clause (b) amended, 1938, 362 § 2; clause (b) amended, 1943, 424 § 1; clause (c) added, 1938 362 § 1; clause (d) added, 1943, 424 § 2.

SECT. 134, sentence added at end of provision numbered 4, 1938, 362 § 3; said provision revised, 1939, 170; 1941, 456; last paragraph stricken out and three new paragraphs inserted, 1938, 362 § 4.

SECT. 138A added, 1943, 424 § 4 (relative to deductions from salaries of state, county and municipal employees for payment of premiums on certain group life insurance policies).

SECT. 139, two sentences added at end, 1945, 335; section revised, 1946, 313.

SECT. 140, second paragraph revised, 1943, 227 § 12; third paragraph amended, 1933, 101 § 2. (See 1943, 227 §§ 13, 14.)

SECT. 142 revised, 1943, 227 § 8. (See 1943, 227 §§ 13, 14.)

SECT. 143 revised, 1943, 227 § 9. (See 1943, 227 §§ 13, 14.)

SECT. 144, last paragraph revised, 1933, 101 § 3; first three paragraphs stricken out and four new paragraphs inserted, 1938, 209 § 1; section revised, 1943, 227 § 3; subdivision 11 added, 1945, 313 § 3. (See 1938, 209 § 3; 1943, 227 §§ 13, 14; 1945, 313 §§ 4, 5.)

SECT. 146 revised, 1943, 227 § 4. (See 1943, 227 §§ 13, 14.)

SECT. 146A added, 1945, 298 (providing for giving notice to holders of lapsed industrial life insurance policies of non-forfeiture benefits).

SECT. 147 amended, 1938, 209 § 2; repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 147A repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECT. 147B added, 1935, 232 (requiring foreign life insurance companies to provide for paid-up and extended term insurance and cash surrender values on policies of industrial life insurance issued in the commonwealth); repealed, 1943, 227 § 10. (See 1943, 227 §§ 13, 14.)

SECTS. 149A-149D added, 1946, 455 (providing that certain unclaimed funds held by domestic life insurance companies be paid into the state treasury).

SECT. 150 revised, 1945, 609 § 2; amended, 1946, 250.

SECT. 151, clause Second amended, 1933, 107 § 1; clause Second, subdivision (3) (c) revised, 1939, 488 § 7; clause Second, subdivision (3) (f) revised, 1939, 488 § 8. (See 1939, 488 § 9.)

SECT. 152A added, 1941, 716 § 4 (relative to the issue by certain foreign mutual insurance companies of non-assessable policies); sentence added at end, 1943, 247 § 3. (See 1941, 723; 1943, 247 § 4.)

SECT. 155, clause First revised, 1932, 150 § 2; amended, 1939, 400 § 2. (See 1932, 150 § 4.)

SECT. 156A amended, 1933, 30.

SECT. 157, paragraph added at end, 1939, 315; section revised, 1941, 451.

SECT. 160A added, 1933, 25 § 1 (prohibiting the printing or publication of certain advertisements for or on behalf of unlicensed insurance companies).

SECT. 160B added, 1934, 14 § 1 (authorizing the commissioner of insurance to publish certain information relative to unlicensed foreign insurance companies or societies).

SECT. 162, third paragraph revised, 1941, 286.

SECT. 163, paragraph added at end, 1941, 502; same paragraph revised, 1943, 85.

SECT. 164A added, 1938, 225 (providing that no insurance agent shall be charged with a decrease or deduction from his commission or salary on account of industrial life insurance policies lapsed or surrendered after being paid on for three years); revised, 1943, 226.

SECT. 167A amended, 1934, 137 § 3; 1937, 260; 1945, 368.

SECT. 172, last sentence revised, 1941, 703.

SECT. 173 revised, 1946, 299.

SECT. 174C added, 1941, 493 (relative to the qualifications and licensing of insurance agents, insurance brokers and special insurance brokers).

SECTS. 177A-177D added, 1939, 395 § 1 (defining and providing for the licensing of insurance advisers).

SECT. 177B, second and third paragraphs stricken out, and new paragraph inserted, 1941, 635 § 1; paragraph added at end, 1941, 635 § 2.

SECT. 178 amended, 1941, 450 § 2.

SECT. 179, sentence added at end, 1939, 472 § 2; section revised, 1941, 452.

SECT. 180A stricken out, and new sections 180A-180L inserted, 1939, 472 § 3 (relative to the rehabilitation, conservation and liquidation of certain domestic and foreign insurers).

SECT. 181 revised, 1934, 160; amended, 1939, 395 § 4.

SECT. 184 amended, 1937, 103.

SECT. 185, first paragraph amended, 1939, 400 § 3; second paragraph revised, 1932, 150 § 3; first and second paragraphs revised, 1941, 654 § 2; section revised, 1943, 238 § 2.

SECT. 187C, first paragraph amended, 1934, 34; 1936, 215 § 1. (See 1936, 215 § 2.)

SECT. 192, sentence added at end, 1943, 375 § 2.

SECT. 193B added, 1937, 314 (authorizing the payment of motor vehicle insurance premiums in instalments).

Chapter 176. — Fraternal Benefit Societies.

SECT. 1, definition of "Fraternal benefit society" amended, 1945, 346 § 2.

SECT. 3 amended, 1941, 336 § 1.

SECT. 4 amended, 1939, 139.

SECT. 5 amended, 1933, 25 § 2; 1934, 14 § 2; 1943, 238 § 3.

SECT. 8 amended, 1945, 346 § 3.

SECT. 11 amended, 1943, 309 § 1.

SECT. 12, first paragraph revised, 1941, 310.

SECT. 13, first sentence amended, 1945, 346 § 4.

SECT. 13A added, 1945, 346 § 1 (authorizing certain fraternal benefit societies to provide for hospitalization and medical service insurance).

SECT. 14 amended, 1945, 346 § 5.

SECT. 16 amended, 1938, 93.

SECT. 18 revised, 1941, 336 § 2.

SECT. 19, first sentence amended, 1945, 346 § 6.

SECT. 19A added, 1939, 236 § 1 (relating to the granting of annuities by certain fraternal benefit societies).

SECT. 21 amended, 1934, 170; revised, 1937, 79; amended, 1939, 236 § 2.

SECT. 22 amended, 1941, 336 § 3.

SECT. 23 amended, 1932, 46; 1938, 94.

SECT. 24 amended, 1941, 322; first sentence amended, 1945, 329.

SECT. 25 revised, 1938, 157.

SECT. 30 amended, 1941, 336 § 4.

SECT. 31 amended, 1945, 346 § 7.

SECT. 32 revised, 1943, 309 § 2.

SECT. 32A added, 1943, 74 (providing a penalty for the alteration, defacement, mutilation, destruction or concealment of any record of a fraternal benefit society).

SECT. 36, first paragraph amended, 1941, 336 § 5.

SECT. 37A added, 1945, 331 (requiring vouchers, etc., for certain disbursements by fraternal benefit societies).

SECT. 40, first two sentences amended, 1932, 180 § 36; first paragraph amended, 1945, 346 § 8.

SECT. 41 amended, 1939, 168; 1945, 346 § 9.

SECT. 42A added, 1943, 238 § 1 (further regulating the admission of certain foreign fraternal benefit societies to transact business within the commonwealth).

SECT. 45, second sentence amended, 1939, 254 § 1; paragraph added after first paragraph, 1943, 309 § 3; second paragraph amended, 1932, 104.

SECT. 46, fifth paragraph amended, 1939, 254 § 2; paragraph inserted after third paragraph, 1941, 274; three sentences added at end of paragraph so inserted, 1943, 86.

SECT. 46B added, 1932, 47 § 1 (authorizing certain fraternal benefit societies to acquire, hold, manage and dispose of real property, and confirming title to such property heretofore acquired by certain of such societies).

SECT. 46C added, 1941, 397 (permitting certain fraternal benefit societies to contract with insurance companies for the payment of benefits).

SECT. 46D added, 1945, 506 (authorizing grand or district lodges of certain secret orders or fraternities to pay a limited amount of death or funeral benefits).

SECT. 49A added, 1946, 124 (authorizing certain fraternal benefit societies to pay pensions to their employees in certain cases).

Chapter 176A. — Non-Profit Hospital Service Corporations.

New chapter inserted, 1936, 409.

SECT. 2, second sentence amended, 1939, 312 § 7.

SECT. 3 amended, 1939, 312 § 1.

SECT. 4 amended, 1939, 312 § 2.

SECT. 5 revised, 1939, 312 § 3.

SECT. 7 amended, 1939, 312 § 4.

SECT. 9 revised, 1939, 312 § 5.

SECT. 11 added, 1939, 312 § 6 (relative to the payment of salaries, compensation or emoluments by certain non-profit hospital service corporations).

SECT. 12 added, 1943, 424 § 5 (relative to deductions from salaries of state, county and municipal employees of amounts payable under contracts issued by non-profit hospital service corporations).

Chapter 176B. — Medical Service Corporations.

New chapter inserted, 1941, 306.

SECT. 16A added, 1943, 424 § 6 (relative to deductions from salaries of state, county and municipal employees of amounts payable under certificates issued by certain medical service corporations).

Chapter 176C. — Non-Profit Medical Service Plans.

New chapter inserted, 1941, 334.

SECT. 16A added, 1943, 424 § 7 (relative to deductions from salaries of state, county and municipal employees of amounts payable under contracts issued by certain medical service corporations).

Chapter 178. — Savings Bank Life Insurance.

For legislation relative to the computation of the reserve liability with respect to life insurance policies issued by savings and insurance banks and to the non-forfeiture benefits under such policies, see 1943, 227.

SECT. 10 amended, 1935, 330 § 1; 1946, 112 § 1. (See 1946, 112 § 2.)

SECT. 11 amended, 1935, 330 § 2.

SECT. 11A added, 1935, 330 § 3 (relative to non-payment of premiums on annuity and certain other contracts).

SECT. 15 amended, 1935, 330 § 4; 1936, 285 § 1.

SECT. 17 revised, 1935, 330 § 5; 1939, 391 § 1. (See 1939, 391 § 2.)

SECT. 18 amended, 1943, 210 § 1.

SECT. 18A added, 1943, 210 § 2 (relative to payments to the general insurance guaranty fund).

SECT. 19 amended, 1935, 330 § 6.

SECT. 21 revised, 1935, 330 § 7; amended, 1936, 285 § 2.

SECT. 26 revised, 1932, 103.

SECT. 29 amended, 1936, 285 § 3; revised, 1941, 108 § 1.

SECT. 30 amended, 1936, 285 § 4.

SECT. 31 revised, 1941, 108 § 2.

Chapter 179. — Proprietors of Wharves, Real Estate lying in Common, and General Fields.

SECT. 3 revised, 1943, 130 § 1. (See 1943, 130 § 2.)

Chapter 180. — Corporations for Charitable and Certain Other Purposes.

SECT. 3 amended, 1943, 549 § 5.

SECT. 5 amended, 1934, 328 § 21.

SECT. 10 amended, 1932, 180 § 37; revised, 1937, 151 § 1; 1943, 549 § 6.

SECT. 11 revised, 1937, 151 § 2.

SECT. 12 amended, 1946, 24.

SECT. 12A amended, 1935, 246; 1946, 25.

SECT. 26A added, 1933, 236 § 1 (requiring the filing of annual returns by certain incorporated clubs and other corporations); amended, 1945, 225. (See 1933, 236 § 2.)

SECT. 27 amended, 1934, 328 § 22.

Chapter 181. — Foreign Corporations.

SECT. 3 revised, 1943, 459 § 4; amended, 1946, 342 § 1.

SECT. 4, paragraph added at end, 1946, 342 § 2.

Chapter 182. — Voluntary Associations and Certain Trusts.

SECT. 3 amended, 1945, 649 § 1.

SECT. 4 amended, 1945, 649 § 2.

SECT. 7 amended, 1945, 649 § 3.

SECT. 8 amended, 1945, 649 § 4.

SECT. 9 amended, 1945, 649 § 5.

Chapter 183. — Alienation of Land.

SECT. 4 revised, 1941, 85.

SECT. 28A added, 1946, 438 § 1 (extending the security of real estate mortgages to cover expenses of repairs or replacements of mortgaged property and taxes and other assessments).

SECT. 43 amended, 1937, 101 § 1.

SECT. 44 amended, 1937, 101 § 2.

Chapter 184. — General Provisions relative to Real Property.

SECT. 13 amended, 1937, 112; revised, 1937, 245 § 1; first paragraph amended, 1943, 52 § 1. (See 1937, 245 § 2; 1943, 52 § 2.)

SECT. 15 amended, 1941, 88 § 1. (See 1941, 88 § 2.)

SECT. 17A added, 1939, 270 (relative to the effect of agreements for the purchase and sale of real estate).

Chapter 185. — The Land Court and Registration of Title to Land.

SECT. 1, clause (b) revised, 1935, 318 § 3; clause (c) revised, 1935, 318 § 4; clause ($j\frac{1}{2}$) added, 1934, 263 § 1 (granting to land court exclusive original jurisdiction to determine by declaratory judgment the validity and extent of municipal zoning ordinances, by-laws and regulations); clause (k) revised, 1934, 67 § 1; clauses (l) and (m) added, 1935, 318 § 5 (granting to said court original jurisdiction concurrent with supreme judicial and superior courts of certain suits in

equity); paragraph in lines 44-50, inclusive, revised, 1937, 183 § 1. (See 1934, 67 § 2; 1935, 318 § 8; 1937, 183 § 2.)

SECT. 2 amended, 1937, 409 § 3. (See 1937, 409 § 7.)

SECT. 2A repealed, 1937, 409 § 4. (See 1937, 409 § 7.)

SECT. 12, sentence added at end, 1941, 27; section revised, 1943, 29.

SECT. 14, sentence in lines 10-12 stricken out, 1946, 427 § 2; section revised, 1946, 544 § 3. (See 1946, 427 § 3; 544 § 5.)

SECT. 25A added, 1933, 55 (relative to the power of the land court to enforce its orders and decrees, and relative to service of its processes).

SECT. 40 amended, 1937, 118.

SECT. 78 amended, 1937, 144 § 1. (See 1937, 144 § 2.)

Chapter 186. — Estates for Years and at Will.

SECT. 12 revised, 1946, 202.

SECT. 15 added, 1945, 445 § 1 (making void certain provisions of leases and rental agreements pertaining to real property). (See 1945, 445 § 2.)

Chapter 188. — Homesteads.

SECT. 1 amended, 1939, 32 § 1. (See 1939, 32 § 5.)

SECT. 9 amended, 1939, 32 § 2. (See 1939, 32 § 5.)

Chapter 189. — Dower and Curtesy.

SECT. 3 revised, 1936, 91 § 1. (See 1936, 91 § 2.)

Chapter 190. — Descent and Distribution of Real and Personal Property.

SECT. 1, paragraph (1) amended, 1945, 238 § 1. (See 1945, 238 § 2.)

SECT. 7 amended, 1943, 72 § 1.

Chapter 190A. — Effect of Apparently Simultaneous Deaths upon Devolution and Disposition of Property, including Proceeds of Insurance.

New chapter inserted, 1941, 549 § 1. (See 1941, 549 § 2.)

Chapter 192. — Probate of Wills and Appointment of Executors.

SECT. 1A added, 1934, 113 (requiring that the attorney general be made a party in certain proceedings relative to the probate of wills).

SECT. 1B added, 1945, 338 § 1 (providing for a guardian ad litem when the surviving spouse of the deceased is under disability).

SECT. 7. See 1937, 408 § 3.

Chapter 193. — Appointment of Administrators.

SECT. 3 amended, 1938, 328.

SECT. 12 amended, 1945, 349 § 1.

Chapter 194. — Public Administrators.

SECT. 7 revised, 1933, 100.

SECT. 9, last sentence amended, 1932, 180 § 38; section affected, 1932, 180 § 45.

SECT. 10. See 1936, 428.

Chapter 195. — General Provisions relative to Executors and Administrators.

SECTS. 1-4 repealed, 1933, 221 § 1. (See 1933, 221 § 8.)

SECT. 7 revised, 1945, 349 § 2.

SECT. 8 amended, 1933, 221 § 2. (See 1933, 221 § 8.)

Chapter 196. — Allowances to Widows and Children, and Advancements.

SECT. 2 amended, 1933, 36; revised, 1936, 214.

Chapter 197. — Payment of Debts, Legacies and Distributive Shares.

SECT. 2 amended, 1933, 221 § 3. (See 1933, 221 § 8.)

SECT. 2A added, 1939, 298 (establishing limitations applicable to suits against, and regulating the payments of debts by, administrators *de bonis non*).

SECT. 9 amended, 1933, 221 § 4. (See 1933, 221 § 8.)

Chapter 200. — Settlement of Estates of Absentees.

SECT. 12 revised, 1941, 399 § 1.

SECTS. 13 and 14 stricken out and new section 13 inserted, 1941, 399 § 2.

SECT. 13 revised, 1946, 395.

Chapter 201. — Guardians and Conservators.

SECT. 1 amended, 1945, 728 § 1. (See 1945, 728 § 4.)

SECT. 6 amended, 1941, 194 § 13.

SECT. 7 amended, 1941, 194 § 14.

SECT. 13, sentence added at end, 1934, 204 § 1; section amended, 1941, 194 § 15.

SECT. 13A added, 1941, 325 (providing for the removal of a permanent guardian of an insane person).

SECT. 14 amended, 1941, 194 § 16.

SECT. 16 revised, 1945, 728 § 2. (See 1945, 728 § 4.)

SECT. 18, new sentence added at end, 1934, 204 § 2.

SECT. 20, see 1945, 338 § 3.

SECT. 21 revised, 1945, 728 § 3. (See 1945, 728 § 4.)

SECT. 30 amended, 1939, 57.

SECT. 39A added, 1936, 270 (authorizing payments from estates of minors under guardianship for expenses for the funerals of the parents in certain cases).

SECT. 45, sentence added at end, 1945, 338 § 2.

SECT. 47A added, 1937, 312 § 1 (permitting guardians and conservators to invest funds in certain insurance policies and annuity contracts).

SECT. 48A revised, 1941, 241.

Chapter 202. — Sales, Mortgages and Leases of Real Estate by Executors, Administrators, Guardians and Conservators.

SECT. 4A added, 1933, 129 (relative to the use and management of real estate of a decedent by his executor or administrator for the purpose of the payment of debts from the rents thereof).

SECT. 12 amended, 1941, 194 § 17.

SECT. 14 amended, 1934, 157 § 1.

SECT. 19 amended, 1941, 341 § 1. (See 1941, 341 § 2.)

SECT. 20 revised, 1933, 221 § 5. (See 1933, 221 § 8.)

SECT. 36 added, 1945, 418 § 1 (relative to sales, mortgages and leases by guardians and conservators of wards holding real estate under tenancies by the entirety). (See 1945, 418 § 2.)

Chapter 203. — Trusts.

SECT. 3A added, 1946, 287 § 1 (exempting trusts created by employers in connection with stock bonus, pension, disability, death benefit or profit sharing plans from the rule against perpetuities). (See 1946, 287 §§ 2, 3.)

SECT. 13 revised, 1943, 201 § 1. (See 1943, 201 § 3.)

SECT. 16 amended, 1934, 157 § 2.

SECT. 17A added, 1932, 50 (relative to the sale of real estate by foreign testamentary trustees).

SECT. 22 amended, 1936, 184 § 1. (See 1936, 184 § 2.)

SECTS. 24A and 24B added, under caption "SALVAGE OPERATIONS OF TRUSTEES", 1943, 389 § 1. (See 1943, 389 § 2.)

SECT. 25A added, under the heading "PURCHASE OF INSURANCE POLICIES OR ANNUITY CONTRACTS", 1937, 312 § 2 (permitting trustees to invest funds in certain insurance policies and annuity contracts).

Chapter 203A. — Collective Investment of Small Trust Funds.

New chapter inserted, 1941, 474.

SECT. 11 added, 1945, 67 (making redeemable obligations of the United States eligible investments for common trust funds).

Chapter 204. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, etc.

SECT. 26 amended, 1933, 221 § 6. (See 1933, 221 § 8.)

SECTS. 27-36 added, 1943, 152 (authorizing releases and disclaimers of powers of appointment and providing for the methods of releasing and disclaiming the same).

SECT. 37 added, 1943, 201 § 2 (authorizing the resignation of fiduciaries by their guardians, conservators or committees, or other like officers, acting in their behalf).

Chapter 205. — Bonds of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

SECT. 4 amended, 1941, 45 § 1.

SECT. 5 amended, 1941, 45 § 2.

Chapter 206. — Accounts and Settlements of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

SECT. 7 amended, 1941, 194 § 18.

SECT. 16 amended, 1941, 36.

SECT. 17 amended, 1936, 208.

SECT. 19 repealed, 1938, 154 § 2.

SECT. 23 repealed, 1938, 154 § 2.

SECT. 24 revised, 1938, 154 § 1.

Chapter 207. — Marriage.

SECT. 5 amended, 1941, 194 § 18A.

SECT. 7 revised, 1941, 270 § 1.

SECT. 17 amended, 1945, 185.

SECT. 20 amended, 1933, 127; sentence inserted after the word "residence" in line 18, 1943, 561 § 3.

SECT. 20A added, 1939, 269 § 3 (relative to the duties of city and town clerks in the case of the filing of notices of intention of marriage of pregnant females).

SECT. 20B added, 1941, 601 § 1 (requiring pre-marital physical examination); first paragraph amended, 1941, 697 § 1; second paragraph stricken out and three paragraphs inserted, 1941, 697 § 2; repealed, 1943, 561 § 2. (See 1941, 697 § 3.)

SECT. 21, paragraph added at end, 1943, 168 § 2.

SECT. 28 amended, 1941, 601 § 2. (See 1941, 601 § 4.)

SECT. 28A added, 1943, 561 § 1 (further regulating pre-marital examinations).

SECT. 30 amended, 1937, 11 § 1; 1945, 214 § 1; 1946, 197 § 1. (See 1937, 11 § 2; 1945, 214 § 2.)

SECT. 33 amended, 1941, 270 § 2.

SECT. 36 revised, 1946, 273 § 1.

SECT. 38 revised, 1932, 162; amended, 1946, 197 § 2.

SECT. 40 revised, 1946, 197 § 3.

SECT. 42 amended, 1946, 197 § 4.

SECT. 47A added, under heading "BREACH OF CONTRACT TO MARRY NOT ACTIONABLE", 1938, 350 § 1 (abolishing causes of action for breach of contract to marry). (See 1938, 350 § 3.)

SECT. 52 revised, 1943, 312 § 1. (See 1943, 312 § 2.)

SECT. 55 repealed, 1946, 273 § 2.

SECT. 57 amended, 1941, 601 § 3. (See 1941, 601 § 4.)

Chapter 208. — Divorce.

SECT. 2 revised, 1937, 76 § 1. (See 1937, 76 § 2.)

SECTS. 9-11 revised, 1943, 196 § 1. (See 1943, 196 § 2.)

SECT. 19 revised, 1932, 3.

SECT. 21, sentence added at end, 1934, 181 § 1. (See 1934, 181 § 2.)

SECT. 24 amended, 1943, 168 § 1.

SECT. 33 revised, 1936, 221 § 1. (See 1936, 221 § 2.)

SECT. 38 revised, 1933, 288.

Chapter 209. — Husband and Wife.

SECT. 21 amended, 1939, 32 § 3. (See 1939, 32 § 5.)

SECT. 32, sentence added at end, 1938, 136.

SECT. 33 revised, 1933, 360.

Chapter 210. — Adoption of Children and Change of Names.

SECT. 1 amended, 1941, 44.

SECT. 3 amended, 1941, 61; 1945, 239; revised, 1945, 300.

SECT. 6, paragraph added at end, 1943, 155 § 1.

SECT. 13, paragraph added at end, 1943, 155 § 2.

Chapter 211. — The Supreme Judicial Court.

SECT. 4 amended, 1945, 465.

SECT. 11 revised, 1933, 300 § 1. (See 1933, 300 § 4.)

SECT. 19 revised, 1938, 115 § 1.

SECT. 22 revised, 1946, 544 § 1. (See 1946, 544 § 5.)

Chapter 212. — The Superior Court.

For act further extending to December 31, 1947, the operation of certain provisions of law (1923, 469, as amended) relative to the more prompt disposition of criminal cases in the superior court, see 1945, 152.

SECT. 14 revised, 1932, 144 § 1. (For prior temporary legislation, see 1927, 306; 1928, 228.)

SECT. 14A added, 1932, 144 § 2 (regulating the establishing of sessions and sittings of the superior court). (For prior temporary legislation, see 1927, 306; 1928, 228.)

SECTS. 15-18 repealed, 1932, 144 § 3.

SECT. 22 amended, 1934, 287; 1943, 145 § 1; sentence added at end, 1943, 244 § 3. (See 1943, 145 § 2.)

SECT. 24 amended, 1943, 244 § 4.

SECT. 25 amended, 1932, 144 § 4.

SECT. 26A added, 1935, 229 § 1 (providing for the transfer from the superior court to the land court of certain actions at law and suits in equity where any right, title or interest in land is involved). (See 1935, 229 § 2.)

SECT. 27 revised, 1946, 544 § 2. (See 1946, 544 § 5.)

Chapter 213. — Provisions Common to the Supreme Judicial and Superior Courts.

SECTS. 1A and 1B added, 1939, 257 § 1 (granting to the superior court jurisdiction of certain extraordinary writs and certain other matters, concurrently with the supreme judicial court). (See 1939, 257 § 2.)

SECT. 1A amended, 1941, 28, 180.

SECTS. 1C and 1D added, 1943, 374 § 4 (providing for changing a petition for certiorari into a petition for mandamus and vice versa and providing for appeals from judgments upon such petitions).

SECT. 3, clause Tenth A revised, 1945, 582 § 2 (see 1945, 582 §§ 4, 5); clause Tenth B added, 1943, 374 § 3 (providing for the presentation at hearings upon petitions for certiorari of evidence at proceedings complained of in such petitions).

SECT. 6 amended, 1932, 144 § 5.

Chapter 214. — Equity Jurisdiction and Procedure in the Supreme Judicial and Superior Courts.

SECT. 1 amended, 1935, 407 § 2. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 2. Affected, 1939, 257 § 2.

SECT. 3, clause (12) added at end, 1939, 194 § 1.

SECT. 9 amended, 1934, 381; 1935, 407 § 3. (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 9A added, 1935, 407 § 4 (limiting authority of courts to grant injunctive relief in cases involving or growing out of labor disputes). (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 23 revised, 1945, 394 § 1. (See 1945, 394 § 2.)

Chapter 215. — Probate Courts.

SECT. 6 amended, 1933, 237 § 1; revised, 1937, 257; amended, 1939, 194 § 2.

SECT. 6B added, 1935, 247 § 1 (providing for interpretative judgments in the probate courts as to the meaning of written instruments); repealed, 1945, 582 § 3. (See 1935, 247 § 2; 1945, 582 § 5.)

SECT. 9, sentence added at end, 1945, 469 § 1. (See 1945, 469 § 2; 1946, 88, 610 § 1.)

SECT. 30A amended, 1934, 330.

SECT. 44, last sentence revised, 1941, 323 § 1; section amended, 1943, 91. (See 1941, 323 § 2.)

SECT. 61 repealed, 1939, 65 § 1. (See 1939, 65 § 2.)

SECT. 62, paragraph in lines 17-20 revised, 1932, 107; 1936, 241; paragraph in lines 29-33 revised, 1934, 24; paragraph in lines 34-37 amended, 1934, 54; same paragraph revised, 1934, 175 § 1; paragraph in lines 45-51 revised, 1935, 132; paragraph in lines 56 and 57 revised, 1933, 274. (See 1934, 175 § 2.)

Chapter 217. — Judges and Registers of Probate and Insolvency.

For legislation relative to abolition of office of special judge of probate and insolvency on the death, resignation or removal of the incumbent, see 1937, 408 § 8.

SECT. 1 amended, 1935, 434 § 1.

SECT. 2 amended, 1934, 290; 1935, 434 § 2.

SECTS. 5 and 6 stricken out and new sections 5, 5A, 6, 6A inserted, 1937, 408 § 3. (See 1937, 408 § 9.)

SECT. 7, sentence added at end, 1937, 408 § 4. (See 1937, 408 §§ 3, 9.)

SECT. 8 revised, 1937, 408 § 5. (See 1937, 408 § 9.)

SECT. 24 amended, 1943, 464 § 1. (See 1943, 464 § 2.)

SECT. 24A revised, 1939, 392.

SECT. 25A added, 1945, 475 § 1 (providing for a permanent third assistant register of probate for the county of Essex); revised, 1946, 482. (See 1945, 475 § 2.)

SECT. 30 revised, 1935, 143 § 1;* 1935, 313 § 1; 1936, 252 § 1; 1941, 226 § 1. (See 1935, 313 § 3; 1936, 252 § 2; 1941, 226 § 2.)

* Void for non-acceptance.

SECT. 31A added,* 1935, 313 § 2 (providing for the appointment of a messenger for the probate court of Essex county). (See 1935, 313 § 3.)

SECT. 34 revised, 1937, 408 § 1; 1946, 544 § 4. (See 1937, 408 § 9; 1946, 544 § 5.)

SECT. 38 repealed, 1937, 408 § 2.

SECT. 40 revised, 1937, 408 § 6. (See 1937, 408 § 9.)

SECT. 41 amended, 1937, 408 § 7; 1941, 503. (See 1937, 408 §§ 8, 9.)

Chapter 218. — District Courts.

For act further extending to December 31, 1947, the operation of certain provisions of law (1923, 469, as amended) authorizing certain justices of district courts to sit in criminal cases in the superior court, see 1945, 152.

For legislation limiting the number of special justices of certain district courts, see 1941, 664.

SECT. 1, first paragraph under caption "*Franklin*" revised, 1932, 87 § 1; section amended, 1939, 451 § 59.

SECT. 6, first paragraph revised, 1941, 664 § 1; second paragraph revised, 1945, 611. (See 1941, 664 §§ 2, 3.)

SECT. 8 revised, 1936, 282 § 1. (See 1936, 282 § 3.)

SECT. 9, sentence added at end, 1934, 217 § 1.

SECT. 10 amended, 1932, 160 § 1; 1937, 297 § 1; 1938, 193 § 1; first paragraph amended, 1946, 182; last paragraph revised, 1938, 222 § 1; paragraph added at end, 1941, 309 § 1. (See 1937, 297 § 2; 1938, 193 § 2, 222 § 2.)

SECT. 13 revised, 1937, 59; first paragraph stricken out, 1939, 157 § 1. (See 1939, 157 § 4.)

SECT. 15 revised, 1939, 230 § 1, 347 § 1. (See 1939, 230 § 2.)

SECT. 16 revised, 1937, 219 § 3; 1939, 214 § 5.

SECT. 19 amended, 1934, 387 § 1; 1943, 296 § 1. (See 1934, 387 § 5; 1943, 296 § 6, 437.)

SECT. 22 amended, 1937, 310.

SECT. 26 revised, 1937, 301 § 1; 1938, 365 § 1. (See 1937, 301 § 2; 1938, 365 § 2.)

SECT. 29 amended, 1932, 55.

SECT. 30 amended, 1941, 194 § 19.

SECT. 35A added, 1943, 349 § 1 (providing that certain persons against whom complaints are made in district courts may be given an opportunity to be heard before issuance of process); revised, 1945, 293. (See 1943, 349 § 2.)

SECT. 37 amended, 1945, 250 § 1.

SECT. 38, second sentence revised, 1939, 347 § 2.

SECT. 43 amended, 1939, 347 § 3.

SECT. 43A, first paragraph amended, 1938, 324; section revised, 1941, 682 § 1; first paragraph amended, 1943, 101. (See 1941, 682 §§ 1A, 2.)

SECT. 53, paragraph added after the first paragraph, 1936, 230.

SECT. 58 revised, 1936, 282 § 2. (See 1936, 282 § 3.)

SECT. 62 amended,* 1932, 235 § 1; revised,* 1932, 247 § 1; amended, 1935, 71 § 1; 1937, 298; revised, 1939, 305; amended, 1941, 309 § 3, 348; 1945, 294; 1946, 264 § 1; 300. (See 1935, 71 § 2; 1946, 264 § 2.)

* Void for non-acceptance.

SECT. 63 revised, 1935, 341.

SECT. 75 revised, 1946, 609 § 1. (See 1946, 609 § 3.)

SECT. 75A added, 1946, 512 § 2 (relative to the compensation of clerks and assistant clerks of the municipal court of the city of Boston); revised, 1946, 609 § 2. (See 1946, 512 § 3; 609 § 3.)

SECT. 76 amended, 1932, 269 § 1; 1935, 366 § 1; 1937, 378 § 1; revised, 1939, 451 § 60; amended, 1945, 476 § 1; 1946, 453; 498 § 1; revised, 1946, 530, 578; amended, 1946, 600. (See 1935, 366 § 3; 1945, 476 § 2.)

SECT. 77 revised, 1937, 294.

SECT. 79 amended, 1941, 309 § 2; revised, 1941, 447 § 2; amended, 1943, 136 § 2. (See 1941, 447 §§ 4, 5; 1943, 136 § 3.)

SECT. 80, sentence added at end, 1935, 366 § 2; section amended, 1936, 229 § 1; 1937, 378 § 2; revised, 1941, 447 § 3; amended, 1946, 498 § 2. (See 1935, 366 § 3; 1936, 229 § 2; 1941, 447 §§ 4, 5.)

SECT. 81 revised, 1939, 296 § 1. (See 1939, 296 § 3.)

SECT. 82A added, 1945, 486 § 1 (relative to salaries of court officers of the municipal court of the city of Boston). (See 1945, 486 § 3.)

Chapter 219. — Trial Justices.

SECT. 28 amended, 1934, 328 § 23.

Chapter 220. — Courts and Naturalization.

SECTS. 13A and 13B added, 1935, 407 § 5 (regulating procedure in trials for contempt arising out of disobedience to decrees or process of courts in labor dispute cases). (See 1935, 407 § 6; 1937, 436 § 10; G. L. 150A § 6 (*h*) inserted by 1938, 345 § 2.)

SECT. 14A added, 1936, 206 § 1 (relative to the time within which certain justices shall render their decisions). (See 1936, 206 § 2.)

SECTS. 16 and 17 repealed, 1932, 144 § 3.

SECT. 19 repealed, 1932, 16.

Chapter 221. — Clerks, Attorneys and Other Officers of Judicial Courts.

SECT. 4 amended, 1935, 89 § 1; 1937, 158 § 1; 1943, 336 § 1; revised, 1946, 248 § 1. (See 1935, 89 § 2; 1937, 158 § 2; 1943, 336 § 3.)

SECT. 5 amended, 1932, 51; 1943, 336 § 2. (See 1943, 336 § 3.)

SECT. 12 revised, 1937, 219 § 4; 1939, 214 § 6.

SECT. 24 revised, 1936, 31 § 3.

SECT. 27 revised, 1939, 157 § 2. (See 1939, 157 § 4.)

SECT. 27A added, 1939, 157 § 3 (relative to the disposal of certain obsolete and useless papers of courts); revised, 1945, 323 § 1; amended, 1946, 150. (See 1939, 157 § 4; 1945, 323 § 2.)

SECT. 36 amended, 1945, 157.

SECT. 36A added, 1945, 261 (relative to educational requirements for admission to the bar of persons serving in the armed forces in World War II).

SECT. 43 revised, 1939, 197 § 1.

SECTS. 44A and 44B added, 1939, 197 § 2 (prohibiting employees and

other persons connected with hospitals from furnishing certain information about certain personal injury cases to attorneys at law).

SECT. 44A amended, 1943, 293.

SECT. 46 revised, 1935, 346 § 1.

SECTS. 46A and 46B added, 1935, 346 § 2 (prohibiting individuals not members of the bar from practising law or attempting so to do and providing a means of restraining unauthorized practice of law).

SECT. 47 repealed, 1935, 346 § 3.

SECT. 49 repealed, 1935, 346 § 3.

SECT. 50 stricken out, and sections 50, 50A, 50B inserted, 1945, 397 § 1. (See 1945, 397 § 3.)

SECT. 53 amended, 1939, 151.

SECT. 58 amended, 1932, 40 § 1.

SECT. 60 repealed, 1932, 40 § 2.

SECT. 63 amended, 1939, 6 § 1. (See 1939, 6 §§ 2, 3.)

SECT. 68 amended, 1946, 591 § 46A.

SECT. 73 revised, 1935, 182 § 2; 1938, 347 § 2; 1941, 448 § 1; 1945, 388 § 1; 1946, 427 § 1; amended, 1946, 593 § 1. (See 1935, 182 §§ 5, 6; 1938, 347 § 3; 1941, 448 § 3; 1945, 388 § 3; 1946, 593 § 2.)

SECT. 73A added, 1938, 347 § 2; amended, 1941, 448 § 2; repealed, 1945, 388 § 2. (See 1938, 347 § 3; 1941, 448 § 3.)

SECT. 76 revised, 1935, 182 § 3; first sentence stricken out and two new sentences added, 1939, 258 § 1; second and third sentences revised, 1939, 165 § 2. (See 1935, 182 §§ 5, 6; 1939, 165 § 3, 258 § 2.)

SECT. 76A added, 1945, 179 § 1 (providing for the appointment of an assistant messenger of the superior court in Suffolk county).

SECT. 80 amended, 1935, 182 § 4. (See 1935, 182 § 6.)

SECT. 93 amended, 1945, 515.

SECT. 94, first sentence amended, 1932, 180 § 39; section revised, 1946, 262 § 2. (See 1946, 262 §§ 4, 5.)

SECT. 94A added, 1946, 262 § 3 (relative to the salaries of the clerk and assistant clerks of the superior court for civil business in the county of Suffolk). (See 1946, 262 §§ 4, 5.)

Chapter 223. — Commencement of Actions, Service of Process.

SECT. 2 revised, 1934, 387 § 2; last sentence of first paragraph revised, 1943, 296 § 2. (See 1934, 387 § 5; 1943, 296 § 6, 437.)

SECT. 2A added, 1935, 483 § 1 (providing for trial together of two or more actions arising out of the same motor vehicle accident pending in district courts). (See 1935, 483 §§ 2, 3.) Section stricken out and new sections 2A–2C inserted, 1943, 369 § 1 (relative to the trial and disposition of certain actions and proceedings pending in different courts). (See 1943, 369 § 2.)

SECT. 2B amended, 1945, 373 § 1. (See 1945, 373 § 2.)

SECT. 24 amended, 1938, 115 § 2.

SECT. 37, last sentence stricken out and new paragraph added at end, 1945, 306 § 1. (See 1945, 306 § 2.)

SECT. 38 amended, 1939, 451 § 61.

SECT. 42 amended, 1937, 295 § 1.

SECT. 42A added, 1943, 234 § 1 (relative to the amount for which attachments may be made on liquidated claims). (See 1943, 234 § 3.)

SECT. 44A added, 1937, 295 § 2 (further regulating the attachment of motor vehicles on mesne process in actions of contract).

SECT. 48 revised, 1937, 308; amended, 1938, 348 § 1. (See 1938, 348 § 2.)

SECT. 74 revised, 1943, 298 § 1. (See 1943, 298 § 10.)

SECT. 75 revised, 1943, 298 § 2. (See 1943, 298 § 10.)

SECT. 76 revised, 1943, 298 § 3. (See 1943, 298 § 10.)

SECT. 78 revised, 1943, 298 § 4. (See 1943, 298 § 10.)

SECT. 79 revised, 1943, 298 § 5. (See 1943, 298 § 10.)

SECT. 80 revised, 1943, 298 § 6. (See 1943, 298 § 10.)

SECT. 81 revised, 1943, 298 § 7. (See 1943, 298 § 10.)

SECT. 82 revised, 1943, 298 § 8. (See 1943, 298 § 10.)

SECT. 83A added, 1943, 298 § 9 (providing that sections 74-83 shall not apply to conditional sales, notices of which are recordable under G. L. 184 § 13). (See 1943, 298 § 10.)

SECT. 114 amended, 1938, 325 § 1; revised, 1943, 234 § 2. (See 1938, 325 § 2; 1943, 234 § 3.)

SECT. 114A added, 1945, 339 § 1 (relative to the dissolution of certain real estate attachments by operation of law). (See 1945, 339 § 2.)

Chapter 224. — Arrest on Mesne Process and Supplementary Proceedings in Civil Actions.

SECT. 12 amended, 1945, 101 § 1.

SECT. 16 amended, 1943, 292 § 1. (See 1943, 292 § 2.)

SECT. 18, paragraph inserted after first paragraph, 1946, 177.

Chapter 226. — Bail.

SECT. 23 amended, 1945, 101 § 2.

Chapter 228. — Survival of Actions and Death and Disabilities of Parties.

SECT. 1 revised, 1934, 300 § 1. (See 1934, 300 § 2.)

SECT. 5 amended, 1933, 221 § 7; revised, 1937, 406 § 1. Affected, 1938, 16. (See 1933, 221 § 8.)

Chapter 229. — Actions for Death and Injuries Resulting in Death.

SECT. 1 revised, 1943, 444 § 1.

SECT. 2 amended, 1941, 460 § 1, 504 § 1.

SECT. 3, first sentence revised, 1941, 460 § 2; section amended, 1941, 504 § 2.

SECT. 5 amended, 1937, 406 § 3; 1941, 504 § 3.

SECTS. 1-5 stricken out and sections 1 and 2 inserted, 1946, 614 § 1. (See 1946, 614 § 7.)

SECT. 5A added, 1938, 278 § 1 (to permit recovery in certain death cases notwithstanding that the death of the tortfeasor occurred before that of the person whose death he caused); amended, 1946, 614 § 2. (See 1938, 278 § 2; 1946, 614 § 7.)

SECT. 6 amended, 1939, 451 § 62; revised, 1946, 614 § 3. (See 1946, 614 § 7.)

SECTS. 6A and 6B added, 1943, 444 § 2 (relative to the disposition of money recovered in certain actions for death).

SECT. 6A revised, 1946, 614 § 4. (See 1946, 614 § 7.)

SECT. 6B amended, 1946, 614 § 5. (See 1946, 614 § 7.)

SECTS. 7 and 8 repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

SECT. 9 amended, 1941, 504 § 4; repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

SECT. 10 repealed, 1946, 614 § 6. (See 1946, 614 § 7.)

Chapter 230. — Actions By and Against Executors and Administrators.

SECT. 5 amended, 1934, 116.

Chapter 231. — Pleading and Practice.

SECT. 4A added, 1943, 350 § 1 (providing for the joinder of parties in one action in certain cases). (See 1943, 350 §§ 3, 4.)

SECT. 5 amended, 1945, 141 § 2.

SECT. 6A added, 1939, 372 § 1 (relative to the recovery of certain medical expenses by the husband of a married woman or the parent or guardian of a minor, in actions to recover for personal injuries by married women and minors). (See 1939, 372 § 2.)

SECT. 6B added, 1946, 212 § 1 (providing for interest from the date of the writ in certain civil actions). (See 1946, 212 § 3.)

SECT. 7, clause Sixth revised, 1939, 67 § 1. (See 1939, 67 § 2.)

SECT. 55 amended, 1935, 318 § 6. (See 1935, 318 § 8.)

SECT. 59C added, under caption "SPEEDY TRIAL OF CERTAIN ACTIONS FOR MALPRACTICE, ERROR OR MISTAKE", 1935, 118 § 1 (relative to the advancement for speedy trial in the superior court of actions against physicians and others for malpractice, error or mistake). (See 1935, 118 § 2.)

SECT. 63 amended, 1932, 84 § 1.

SECT. 69 amended, 1932, 177 § 1; revised, 1946, 450. (See 1932, 177 § 2.)

SECT. 73 repealed, 1932, 180 § 40.

SECT. 78 repealed, 1932, 180 § 40.

SECT. 84A added, 1933, 247 § 1 (relative to the joint trial in the superior court of actions involving the same subject matter). (See 1933, 247 § 2.)

SECTS. 85B and 85C added, 1937, 439 § 1 (relative to procedure in certain actions to recover damages arising out of motor vehicle accidents and in suits by judgment creditors in actions to reach and apply the proceeds of motor vehicle liability policies and in actions to recover on motor vehicle liability bonds). (See 1937, 439 § 2.)

SECT. 85D added, 1945, 352 § 1 (providing that negligence of parent or custodian shall not be imputed to an infant because of such parent-hood or custodianship). (See 1945, 352 §§ 3, 4.)

SECT. 91 revised, 1943, 365 § 1. (See 1943, 365 § 2.)

SECT. 93 revised, 1943, 360.

SECT. 94 amended, 1943, 361.

SECT. 96A added, 1945, 530 § 1 (relative to the filing of bills of exceptions in suits in equity). (See 1945, 530 § 2; 1946, 94, 610 § 2.)

SECT. 102A added, 1934, 387 § 3 (relative to the removal to the superior court of an action of tort arising out of the operation of a motor vehicle); amended, 1937, 133 § 1; revised, 1938, 338 § 1; first paragraph amended, 1941, 203 § 1; second paragraph amended, 1941 203 § 2; section repealed, 1943, 296 § 3. (See 1934, 387 § 5; 1937, 133, § 2; 1938, 338 § 2; 1941, 203 § 3; 1943, 296 § 6.)

SECT. 107 revised, 1943, 296 § 4. (See 1943, 296 § 6.)

SECT. 108, second paragraph revised, 1939, 382; second sentence of third paragraph revised, 1933, 255 § 1. (See 1933, 255 § 2.)

SECT. 113, two sentences added at end, 1945, 328.

SECT. 115 amended, 1939, 451 § 63.

SECT. 127, sentence added at end, 1945, 578 § 1. (See 1945, 578 § 3.)

SECT. 128, amended, 1945, 578 § 2. (See 1945, 578 § 3.)

SECT. 133 amended, 1933, 300 § 2. (See 1933, 300 § 4.)

SECT. 135, two paragraphs inserted after first paragraph, 1941, 187 § 1 (See 1941, 187 § 2.)

SECT. 140A added, 1932, 130 § 1 (relative to the effect of a settlement by agreement of an action of tort growing out of a motor vehicle accident upon the right of a defendant in such action to maintain a cross action).

SECT. 141 amended, 1932, 130 § 2; 1933, 300 § 3; 1934, 387 § 4; 1943, 296 § 5, 350 § 2; 1945, 352 § 2; 1946, 212 § 2. (See 1933, 300 § 4; 1934, 387 § 5; 1943, 296 § 6, 350 §§ 3, 4; 1946, 212 § 3.)

SECT. 142 amended, 1935, 318 § 7. (See 1935, 318 § 8.)

SECT. 145 amended, 1939, 451 § 64.

SECT. 147, Form 8 repealed, 1938, 350 § 2.

Chapter 231A. — Procedure for Declaratory Judgments.

New chapter inserted, 1945, 582 § 1. (See 1945, 582 § 5.)

Chapter 233. — Witnesses and Evidence.

SECT. 1 revised, 1945, 250 § 2.

SECT. 3A added, 1933, 262 (authorizing the commissioner of banks to respond to summonses or subpoenas by an employee or other assistant in his department).

SECT. 8 amended, 1933, 269 § 3, 376 § 3.

SECTS. 13A-13D added, 1937, 210 § 1 (making uniform the law securing the attendance of witnesses from without a state in criminal proceedings). (See 1937, 210 § 2.)

SECT. 22 amended, 1932, 97 § 1.

SECT. 23A added, 1945, 424 § 1 (relative to the admissibility in evidence of written statements obtained from persons sustaining personal injuries in accidents). (See 1945, 424 § 2.)

SECT. 26 amended, 1932, 71 § 1.

SECT. 29 amended, 1932, 71 § 2.

SECT. 30 amended, 1932, 71 § 3.

SECT. 32 amended, 1932, 71 § 4.

SECT. 33 amended, 1932, 71 § 5.

SECT. 34 amended, 1932, 71 § 6.

SECT. 45 amended, 1932, 71 § 7.

SECT. 46 amended, 1932, 71 § 8.

SECT. 47 amended, 1932, 71 § 9.

SECT. 48 amended, 1932, 71 § 10.

SECT. 49 amended, 1932, 71 § 11.

SECT. 65 amended, 1941, 363 § 1; 1943, 105 § 1; revised, 1943, 232 § 1. (See 1941, 363 § 2; 1943, 105 § 2, 232 § 2.)

SECT. 75, sentence added at end, 1943, 190 § 1. (See 1943, 190 § 2.)

SECT. 76A added, 1938, 213 § 1 (relative to the use of authenticated copies of certain papers and documents filed with the federal securities and exchange commission). (See 1938, 213 § 2.)

SECT. 79 revised, 1941, 389 § 2; amended, 1943, 233 § 1; 1946, 473 § 1. (See 1943, 233 § 2; 1946, 473 § 2.)

SECT. 79A added, 1941, 662 § 2 (relative to the use in evidence of photographic and microphotographic records and copies).

Chapter 234. — Juries.

SECT. 1 amended, 1935, 257 § 11; 1936, 25. (See 1935, 257 § 12.)

SECT. 11 amended, 1934, 150.

SECT. 15 repealed, 1936, 161 § 1. (See 1936, 161 § 3.)

SECT. 24 amended, 1941, 90.

SECTS. 25 and 26 stricken out, and sections 25, 26, 26A, 26B inserted, 1945, 428 § 1 (providing for emergency jurors and for the waiver of a full jury). (See 1945, 428 § 3.)

SECT. 29 revised, 1945, 428 § 2. (See 1945, 428 § 3.)

Chapter 236. — Levy of Executions on Land.

SECT. 18 revised, 1939, 32 § 4. (See 1939, 32 § 5.)

Chapter 239. — Summary Process for Possession of Land.

SECT. 1 amended, 1941, 242 § 1.

SECT. 5 revised, 1946, 175 § 1. (See 1946, 175 § 2.)

SECT. 6A added, 1941, 242 § 2 (relative to conditions of bonds in actions of summary process for recovery of possession of land after tax title foreclosures).

SECTS. 9-13 affected, 1941, 700; 1946, 43.

Chapter 240. — Proceedings for Settlement of Title to Land.

SECT. 14A added, 1934, 263 § 2 (providing for determination by the land court by declaratory judgment as to the validity and extent of municipal zoning ordinances, by-laws and regulations).

Chapter 244. — Foreclosure and Redemption of Mortgages.

For legislation concerning judicial determination of rights to foreclose real estate mortgages in which soldiers or sailors may be interested, see 1941, 25; 1943, 57; 1945, 120.

SECT. 15, sentence added at end, 1946, 204.

SECTS. 17A-17C added, 1945, 604 § 1 (relative to actions for deficiencies on mortgage notes following foreclosures, etc.). (See 1945, 604 § 2.)

Chapter 246. — Trustee Process.

SECT. 1 revised, 1938, 303 § 1; amended, 1943, 17 § 1. (See 1938, 303 § 2; 1943, 17 § 2.)

SECT. 28 revised, 1935, 410 § 1; 1941, 338 § 1. (See 1935, 410 §§ 2, 3; 1941, 338 § 2.)

SECT. 32, paragraph added at end, 1938, 343.

Chapter 249. — Audita Querela, Certiorari, Mandamus and Quo Warranto.

SECT. 4 amended, 1943, 374 § 1. (See 1939, 257; 1941, 28, 180; 1943, 374 §§ 3, 4.)

SECT. 5 amended, 1938, 202; 1943, 374 § 2. (See 1939, 257; 1941, 28, 180; 1943, 374 § 4.)

Chapter 250. — Writs of Error, Vacating Judgment, Writs of Review.

SECT. 16 amended, 1933, 244 § 1. (See 1933, 244 § 2.)

Chapter 255. — Mortgages, Conditional Sales and Pledges of Personal Property, and Liens thereon.

SECT. 1. See 1933, 142 (recording of federal crop loans to farmers). See also 1936, 264 subsection 20 (relative to trust receipt and pledge transactions).

SECT. 3 amended, 1935, 86 § 2.

SECTS. 7A-7E added, 1935, 86 § 1 (relative to the mortgaging of crops and certain other classes of personal property).

SECT. 11 revised, 1939, 509 § 1.

SECT. 12 revised, 1939, 509 § 1; 1943, 410 § 1. (See 1943, 410 § 2.)

SECT. 13 revised, 1939, 509 § 1; amended, 1941, 285.

SECT. 13A added, 1935, 348 § 1 (regulating conditional sales of motor vehicles); revised, 1939, 509 § 1. (See 1935, 348 § 2.)

SECT. 13B added, 1935, 396 (relative to certain contracts of conditional sale of household or personal effects).

SECTS. 13C and 13D added, 1937, 315 (relative to contracts of conditional sale of household furniture or other household or personal effects except jewelry).

SECT. 13C revised, 1938, 367.

SECTS. 13C and 13D stricken out, and new sections 13C-13G inserted, 1939, 509 § 2.

SECT. 13H added, 1941, 468 (relative to conditional sales of textile and other machinery, seats for theatres and other places of public assembly, and parts, accessories, appliances and equipment therefor).

SECT. 31D added, 1945, 607 (creating a lien in favor of certain persons performing work upon, or storing articles of clothing or household goods).

SECT. 35 amended, 1938, 83 § 1. (See 1938, 83 § 2.)

SECTS. 40-47 added, 1945, 285 (providing for the creation of liens upon merchandise without the necessity of custody or possession in the lien).

SECT. 40 amended, 1946, 514 § 1.

SECT. 41, first paragraph amended, 1946, 514 § 2.

Chapter 255A. — Trust Receipts and Pledges without Possession in the Pledgee.

New chapter inserted, 1936, 264.

Chapter 258. — Claims against the Commonwealth.

SECT. 3 revised, 1932, 180 § 41.

SECT. 4A added, 1945, 552 (to prevent the running of interest on claims against the commonwealth after an offer of judgment).

SECT. 5 repealed, 1943, 566 § 2.

Chapter 260. — Limitation of Actions.

SECT. 3A added, 1943, 566 § 1 (limiting the time within which petitions founded upon claims against the commonwealth may be brought).

SECT. 4 amended, 1933, 318 § 5; 1934, 291 § 4; 1937, 385 § 9; paragraph added at end, 1943, 409 § 4. (See 1933, 318 § 9; 1934, 291 § 6; 1937, 385 § 10.)

SECT. 10, sentence added at end, 1937, 406 § 2.

Chapter 261. — Costs in Civil Actions.

SECT. 4 amended, 1937, 44 § 1. (See 1937, 44 § 2; 1943, 296 §§ 3, 6.)

Chapter 262. — Fees of Certain Officers.

SECT. 2 revised, 1939, 345 § 1. (See 1939, 345 § 3.)

SECT. 4, seventh paragraph amended, 1937, 188; seventh to tenth paragraphs stricken out, 1939, 345 § 2. (See 1939, 345 § 3.)

SECT. 5 amended, 1933, 201.

SECT. 25 amended, 1933, 162; 1934, 141; 1945, 236 § 1. (See 1945, 236 § 2.)

SECT. 32 revised, 1935, 280.

SECT. 34 amended, 1933, 21.

SECT. 34A added, 1938, 380 (authorizing the charging of certain fees by city and town clerks or registrars for the expense of the examination or copying by them of records of births, marriages and deaths).

SECT. 38, second paragraph amended, 1937, 97; two paragraphs inserted after paragraph in line 23, 1945, 569 § 2; section revised, 1946, 353 § 1.

SECT. 39, paragraph in lines 15, 16 amended, 1945, 522; paragraph added at end, 1939, 13; section revised, 1946, 353 § 2.

SECT. 40 revised, 1934, 324 § 1. (See 1934, 324 § 2.)

SECT. 46A added, 1938, 232 (to provide for furnishing without charge copies of records relating to soldiers, sailors and marines in certain cases); revised, 1943, 484; 1945, 218.

SECT. 53 amended, 1936, 251.

Chapter 263. — Rights of Persons Accused of Crime.

SECT. 4A added, 1934, 358 (expediting the arraignment of persons

charged with crimes not punishable by death by permitting them to waive indictment proceedings).

SECT. 6 amended, 1933, 246 § 1. (See 1933, 246 § 2.)

Chapter 264. — Crimes against Governments.

SECT. 5 revised, 1932, 298; amended, 1933, 153 § 3; 1934, 56; revised, 1941, 117 § 1. (See 1941, 117 § 2.)

SECT. 10A revised, 1933, 276.

Chapter 265. — Crimes against the Person.

SECT. 13A added, 1943, 259 § 1 (providing a penalty for the crimes of assault and assault and battery); paragraph added at end, 1945, 230. (See 1943, 259 § 2.)

SECT. 17 revised, 1943, 250 § 1. (See 1943, 250 § 2.)

SECT. 25 revised, 1932, 211.

SECT. 26 amended, 1934, 1.

Chapter 266. — Crimes against Property.

SECT. 1 revised, 1932, 192 § 1.

SECT. 2 revised, 1932, 192 § 2.

SECTS. 3 and 4 repealed, 1932, 192 § 3.

SECT. 5 revised, 1932, 192 § 4.

SECT. 5A added, 1932, 192 § 5 (defining and providing penalties for attempts to commit arson).

SECT. 6 repealed, 1932, 192 § 3.

SECT. 8 revised, 1932, 192 § 6.

SECT. 10 revised, 1932, 192 § 7.

SECT. 16 revised, 1943, 343 § 1. (See 1943, 343 § 2.)

SECT. 16A added, 1945, 229 (providing a penalty for breaking and entering a building, ship or vessel with intent to commit a misdemeanor).

SECT. 22 amended, 1935, 365.

SECT. 25 amended, 1943, 518 § 1. (See 1943, 518 § 2.)

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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, February 25, 1947.

I certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws has been prepared, and is printed as an appendix to this edition of the laws, by direction of the Joint Committee on Rules of the General Court, in accordance with the provisions of General Laws, Tercentenary Edition, chapter 3, section 51, as amended by Acts of 1939, chapter 508, section 7.

FREDERIC W. COOK,
Secretary of the Commonwealth.

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